SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1947

No.

HARRISON PARKER, PETITIONER,

vs.

THE PEOPLE OF THE STATE OF ILLINOIS

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ILLINOIS

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[fol. a] [Caption omitted]

[fol. 1]

IN THE SUPREME COURT OF ILLINOIS, NOVEMBER TERM, A. D. 1946

Error to the Criminal Court of Cook County

Harold G. Ward, Honorable Trial Judge

PEOPLE OF THE STATE OF ILLINOIS, Defendant-in-Error,

vs.

HARRISON PARKER, Plaintiff-in-Error

Abstract of Record

Notice of Information.

INFORMATION

Information: The People of the State of Illinois, by their State's Attorney William J. Tuohy, represent that on or about the 9th day of May, 1946, Harrison Parker, composed and signed the following letter:

The religious idea of the Puritans, in 1642, established the First Church of Reading, Massachusetts; in 1776, wrote [fol. 2] the Declaration of Independence; and in 1940, by its incorporation under the religious statutes, founded the

PURITAN CHURCH

The Church of America

Office of the Chancellor
La Grange, Illinois

May 9, 1946.

Foreman of the Cook County Grand Jury,
Criminal Court Building,
26th Street and California Avenue,
Chicago, Illinois.

Dear Sir:

This Church has in its possession, certified documents which show that by an open violation of the Constitution

of Illinois, the law passed by her legislature, and an expressed mandate of the U. S. Supreme Court, the Tribune Company, with the connivance of the Kelly-Nash Democratic machine, has stolen from defenseless Cook County, a sum of money which including the taxes owed to Cook County, the penalty for violating the Constitution and the law, and the statutory interest thereon, amounts to the enormous sum of 100 million dollars, the amount for which Mayor Kelly is seeking a new bond issue for Chicago.

In the evidence open to you, is the heretofore suppressed testimony under oath, by A. T. Ward, the trustee of the Medill Estate, that the Tribune Company, from 1892 to 1925, paid its stockholders in monthly cash dividends, sometimes at the rate of 500% per month, a total amount of Twenty-Eight Million and Sixty-Three Thousand and, Six [fol. 3] Hundred and Sixteen Dollars and Eighty Cents ($28,063,616.80): Upon a paid in capital of $200,000; the accuracy of these figures is attested by the Clerk of the Supreme Court of Illinois; certified balance sheets of the Tribune Company are also in the evidence.

On such cash dividends, the Constitution and the law of Illinois upheld by the U. S. Supreme Court, requires a tax. The certified copies of the books of the County Assessor, also in the possession of this Church, show that not a single cent of the legal tax was ever either assessed by the Cook County Assessor or paid by the Tribune Company; the taxable items were feloniously omitted from the tax rolls; thus the tax was avoided.

The evidence also discloses that the tax money which was legally due to Cook County, was used by the Tribune Company to acquire the Ontario Paper Company of Canada, and the New York Daily News: The Ontario Paper Company is today appraised at 50 million dollars; and the New York Daily News is appraised at 100 million dollars.

Thus, by a violation of the Constitution of Illinois, and the law passed by her legislature, and a mandate of the U. S. Supreme Court, the multimillionaire stockholders of the Tribune Company, were enormously enriched and the defenseless little home owners of Cook County were correspondingly despoiled.

The taxes now due to Cook County from the Tribune Company, on taxable items omitted from the tax rolls, are never out-lawed. There is no provision in the law either "to

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settle'' or to compromise, either the principal sum due, or the penalty, or the interest. When the debt shall be paid, and it must be, if this be a government by Constitution and [fol. 4] the law, it must include interest at the rate of 10% per annum, up to the day of settlement.

Awaiting your call to display this evidence to your Honorable body, we remain.

Very truly yours,
The Puritan Church:
By: Harrison Parker
Harrison Parker, Its Chancellor.

That thereafter on May 9, 1946, said Harrison Parker did deposit said letter in the United States Mail in an envelope on which were the following words:

Foreman of the Cook County Grand Jury,
Criminal Court Building,
26th Street and California Avenue,
Chicago, Illinois.

That said letter was delivered to Bernard George Harrington, then acting as the Foreman of the Cook County Grand Jury.

5. Therefore, the said State's Attorney moves for a rule upon said Harrison Parker, to show cause why he should not be found guilty of Contempt of Court.

(Signed) William J. Tuohy, States Attorney of Cook County.

Duly sworn to by Melvin Starkel Rembe. Jurat omitted in printing.

[fol. 5] Motion of State's Attorney to continue cause until June 11, 1946.

Order of Court for Harrison Parker to appear on Wednesday, June 19, 1946.

Order of Court for Harrison Parker to appear in Court on June 19, 1946.

Order of Court for Harrison Parker to appear in Court on June 26, 1946.

Order of Court for Harrison Parker to appear in Court on June 26, 1946.

Order of Court for Harrison Parker to appear in Court on July 3, 1946.

Order of Court for Harrison Parker to appear in Court on July 3, 1946.

Order of the Court for Harrison Parker to plead, answer or demur; cause continued to July 15, 1946.

Notice of Petition of Harrison Parker for a Change of Venue from the Court of Hon. Harold G. Ward.

PETITION FOR A CHANGE OF VENUE

Your petitioner Harrison Parker, respectfully represents unto this Honorable Court that he is the defendant in the above entitled cause, charged with the crime of Contempt of Court; that his case has been set for trial on July 15, 1946, [fol. 6] before the Honorable Judge Harold G. Ward, one of the judges of this Court.

Your petitioner further states that he believes that the said Honorable Harold G. Ward is so prejudiced against him that he will not be able to receive a fair and impartial trial before the said Judge Harold G. Ward.

Your petitioner further states that the knowledge of the prejudice of the said Honorable Harold G. Ward came to him on July 10th, 1946.

Wherefore, your petitioner prays that this Honorable Court may grant defendant's petition for a change of venue, and have this cause set before another judge of the Criminal Court, except the Honorable Charles E. Byrne, whom this defendant was informed on July 10th was also prejudiced against this defendant that he will not receive a fair and impartial trial before him.

Harrison Parker.

Subscribed and Sworn to before me this 11th day of July, A. D. 1946. —— ——.

AFFIDAVIT OF HARRISON PARKER FOR A CHANGE OF VENUE

Harrison Parker, upon oath deposes and says that he is the defendant in the above entitled case which is set for trial before the Honorable Harold G. Ward, one of the judges of this Court.

Affiant further states that he believes that the said Honorable Harold G. Ward and Charles E. Byrne, Judges of this Court, are so prejudiced against him, the said defendant, that he the said defendant cannot receive a fair and

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impartial trial before either the Honorable Harold G. Ward [fol. 7] and Charles E. Byrne.

Harrison Parker, Pro se.

Subscribed and Sworn to before me this 11th day of July, A. D. 1946. —— ——, Notary Public, Cook County, Illinois.

DENIAL OF PETITION FOR CHANGE OF VENUE

Court denies the Petition of Harrison Parker for a Change of Venue, and Harrison Parker excepts.

PETITION TO QUASH INFORMATION

The Petition to Quash the Information: it is not drawn in conformity with the Statutes: it is not properly verified: it is unintelligible: it does not set forth any facts which constitute a Contempt of a Court: it fails to inform the defendant of any contempt, or Crime as is required by the Constitution of the U. S. A. and the Constitution of Illinois:

It does not state facts constituting a Contempt of Court: it is not a crime, or Contempt of Court, for a citizen to compose, sign, and deposit in the U. S. Mails, a letter to another citizen, in which said citizen is informed, that there is evidence extant, of the violation of the Constitution and the laws of the State of Illinois, by certain other persons: it is the duty of every citizen to inform the Grand Jury of Cook County of any or all violations of law known to him: a citizen who knows of a crime and does not reveal it, would be classified as an accessory after the fact. The policy of Illinois is to encourage such informant.

The Information is in derogation of the rights of Harrison Parker under Amendments 1, 5, 6, 8 and 14 of the Constitution of the United States of America: And under Article 2, Section 2, 3, 4, 7, 8, 9, 10, 11, 17, 19 and 20 of the [fol. 8] Constitution of the State of Illinois of the year 1870.

(Signed) Harrison Parker under Oath Before a Notary Public.

At Lexington, Massachusetts, stands this monument, erected to the memory of those Puritans who fought in the American Revolutionary War, and died for their absolute

convictions: that each and every member of the generations yet to come, although unseen and unknown to them, must have liberty, as a matter of right, and must maintain liberty protected by law, as a cherished heritage.

Affidavit of Incorporation of the Puritan Church—The Church of America. Minutes of the Meeting.

Whereas, God has revealed to the Puritans, that it is time for the Puritan Church—the Church of America, to appear throughout the world and assert the Rights of Man, as they were asserted in the Declaration of Independence, by the Puritans, in 1776:

> "We hold these truth- to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

To the American shores, the Puritans brought the best ideas and institutions of their native land, the arts and sciences of England, representative government, trial by jury, the common law and the best traditions of the human race.

They brought law and a respect for the law. They knew that liberty can survive only where these are. And lov- [fol. 9] ing liberty, they loved law and cultivated their respect for it, for without law and the respect for it, liberty is trampled underfoot. Moreover, liberty, without law destroys both law and government.

The maxims that the Puritans shouted and emblazoned upon their banners, as they fought the American Revolutionary War, were: "All men are born free and equal;" "All men are brothers with equal right;" "God will at last avenge the cause of the oppressed, no matter how strong the oppressor." For these beliefs many of them died.

Thus it came to pass, that the Puritans, on American soil, triumphed over Theocracy, Monarchy, Aristocracy and Despotism. They created the United States of America, a State without a King, a Community without a Lord, and a Family without a slave.

The Puritans gave their lives to teach the world once

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again, to love man and to love God, as had been said by the Prophets and by Jesus, many years before.

The active application of their religious ideas, by the Puritans, in the wilderness that they found upon their arrival on the shores of America, have, within 166 years, made the United States of America, the most enlightened, the most prosperous and the most powerful nation in the history of the world.

Puritanism stands for all that makes for man's betterment. It carries the banner of brotherhood, love, charity and self-help. Its textbook is the essence of the Bible, made up of those thoughts from God, revealed to man through the inspired psalmists, the inspired prophets and Jesus of Nazareth.

Puritanism is not a belief; it is a way of living. In it there is no belief in any dogma, atonement, baptism or ritual. It teaches that no one is to be hated; no one is to be de- [fol. 10] spised; that no one is to be mocked; that no one is to be resented; and that no one is to be envied. It teaches one to be content with his own, while working to improve his lot, and to be helpful to his neighbor, not from pity, partiality, or superstition, but by reason of reason alone; to obey the voice of God within man; to speak the truth without evasion or concealment; to love justice and to do justice; to reverence merit in all men, regardless of rank or reputation, color or condition; and, above all things, to love God.

Essentially, Puritanism is a living, daily application of the following passages of the Bible:

> "He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?—"
>
> (Micah VI, 8).

• • • • • • •

"Jesus said unto him, Thou shalt love the Lord with all thy heart, and with all thy soul, and with all thy mind.

"This is the first and great commandment. And the second is like unto it, Thou shalt love they neighbor as thyself. On these two commandments hang all the Law and the Prophets.—"

(Matt. XXII, 37-40).

• • • • • • •

"When my father and my mother forsake me, then the Lord will take me up.

"I had fainted, unless I had believed to see the goodness of the Lord in the land of the living.—"

(Ps. XXVII, 10, 13).

[fol. 11] "Then shall the King say unto them on his right hand, Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world: For I was an hungered, and ye gave me meat: I was thirsty, and ye gave me drink: I was a stranger, and ye took me in: Naked, and ye clothed me: I was sick, and ye visited me: I was in prison, and ye came unto me. Then shall the righteous answer him, saying, Lord when saw we thee an hungered, and fed thee? Or thirsty, and gave thee drink? When saw we thee a stranger, and took thee in? Or naked, and clothed thee? Or when saw we thee sick, or in prison, and came unto thee? And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.—"

(Matt. XXV, 34-40).

* * * * * * *

"Blessed are the poor in spirit: for theirs is the Kingdom of heaven.

Blessed are they that mourn: for they shall be comforted.

Blessed are the meek: for they shall inherit the earth.

Blessed are they which do hunger and thirst after righteousness: for they shall be filled.

Blessed are the merciful: for they shall obtain mercy.

Blessed are the pure in heart: for they shall see God.

Blessed are the peacemakers: for they shall be called the children of God.

Blessed are they which are persecuted for righteous-[fol. 12] ness' sake: for theirs is the kingdom of heaven.

Blessed are ye when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake.

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Rejoice, and be exceeding glad; for great is your reward in heaven: for so persecuted they the prophets which were before you.—"

(Matt. V, 3-12).

Now, Therefore, to carry out God's will by merging all the present Puritan Congregations into a universal Church, a joint meeting in persons and by proxy, was held October 14, 1945, in the Chancellery of the Puritan Church—the Church of America, at 11 South LaGrange Road, LaGrange, Illinois, of the following congregations:

The Puritan Church.
The Puritan Church of the United States.
The Puritan Church—the Church of America.

State of Illinois,
County of Cook, ss:

Affidavit of Incorporation

I, Harrison Parker, do solemnly swear, that at a meeting of the members of the Puritan Church—the Church of America, held at the Chancellery of the said Church at 11 South LaGrange Road, LaGrange, Illinois, on Sunday, the Fourteenth day of October, 1945, for that purpose, the following persons were elected trustees:

Reverend Scott Baldwin.
Reverend Robert Perry Shepherd.

According to the rules and usages of such Church, said Church adopted as its corporate name:

[fol. 13] Puritan Church

The Church of America

And at said meeting, this Affiant acted as Secretary.

Harrison Parker, Secretary of the Meeting of the Congregation of the Puritan Church, the Church of America. (Seal.)

"The Puritans are the fathers of New England and her descendant States; the fathers of the American idea; of most things in America that are good; surely, of most that is best. They seem made on purpose for their work of conquering a wilderness and founding a state. It is not with

gentle hands, not with the dalliance of effeminate fingers that such a task is done. The work required energy the most masculine in heart, head and hands. None but the Puritans could have done such a work. They could fast as no men; none could work like them; none preach; none pray; none could fight as they fought. They have left a most precious inheritance to men who have the same greatness of soul."

—Channing.

"The Puritan mother grimly took her austere baby in her religious arms, and fled over the waters to bring up, in a log cabin, this little child to obey God—come what might come to him, come what might come to men—to obey God at all times."

—Channing.

"Puritanism had begun against corruption in Church and State. Under its hard boiled policy, Massachusetts became the strongest colony in North America. New England was a hive of husbandry and commerce.

[fol. 14] "The Puritan Spirit lived on and expanded and has always been the pervading influence in American life and in individual American conscience. They were the 'Minute Men' at Lexington and Bunker Hill; their spirit rode with the pioneers across the mountains to settle new lands in Ohio, Michigan, Illinois, Kansas, and as far west as the Pacific Ocean. It was with John Brown at Harper's Ferry; it was with Marcus and Narcissa Whitman when those New England martyrs and missionaries founded their school in the State of Washington.

"The Puritans lived by God's Word. Their towns have grown rich, their schools have grown great. Their spirit has crossed America."

—U. S. Senator John J. Ingalls of Kansas.

• • • • • • •

"The Puritans always throw themselves back upon character; upon the fact whether a man is honest, just, long suffering, merciful; not w-ether he believes in a denominational creed, or is a strict observer of rites and ceremonies."

—William Lloyd Garrison.

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"The Puritan stock and influence has been the most dynamic of all throughout our history."

• • • • • • •

"To the Puritan there was but one nature in all, man or woman, bond or free, and that was human nature, the most sacred thing on earth. Each human child had inalienable rights, and though that child was a beggar or slave, had rights, which all the power in the world, bent into a single [fol. 15] arm, could not destroy not abate, though it might ravish away.

"He looked on the Constitution as an instrument for the defense of the Rights of Man. The government was to act as the people had told how. The Federal government was not sovereign; the State government was not sovereign; neither was a court of ultimate appeal; but the People was sovereign; had the right of Eminent Domain over Congress and the Constitution, and making that, had set limits to the government.

"All exercise of human authority must be under the limitation of right and wrong, said the Puritan. All other power is despotic, and 'in defiance of the laws of nature and of God.' "

• • • • • • •

"The character of the Puritans has given to New England much of its present character and condition. They founded schools and colleges; they trained up their children in a stern discipline which we shall not forget for two centuries to come. The remembrance of their trials, their heroism, and their piety affects our preaching today, and our politics also. The difference between New England and Chicago is the difference between the sons of the religious colony and the sons of the wor-dly colony."

• • • • • • •

"The Puritans fled England because they had ideas, at least sentiments, of Christianity and democracy which could not be carried out at home. They came to America, not for ease, honor, money, or love of adventure, but for conscience sake, for the sake of their Christianity and their democracy. [fol. 16] "By Christianity, I mean that form of religion which consists of piety—the love of God, and morality—the keeping of His laws. That is not the Christianity of

the Christian Church, nor of any sect; it is the ideal religion which the human race has been groping after, if happily we might find it. It is yet only an ideal, actual in no society.

"By Democracy, I mean government over all the people by all the people, and for the sake of all. Of course, it is government according to the natural law of God, by justice, the point common to each man and all men, to each nation and all mankind, to the human race and to God.

"In a democracy, the people reign with sovereign power; their elected servants govern with delegated trust. There is national unity of action, represented by law; this makes the nation one, a whole; it is the centripetal force of society."

• • • • • • •

"But there is also individual variety of action, represented by the personal freedom of the people who ultimately make the laws; this makes John John, and not James, the individual a free person, discreet from all other men; this is the centrifugal force of society, which counteracts the excessive solidification that would else go on. Thus, by justice, the one and the many are balanced together, as the centripetal and centrifugal forces in the solar system.

"This is not the democracy of the parties, but it is the ideal government, the reign of righteousness, the kingdom of justice, which all noble hearts long for, and labor to produce, the ideal whereunto mankind slowly draws near. [fol. 17] No nation has yet come so close to it as the people of some of the Northern American States, who are yet far beneath ideals of government now known, that are yet themselves vastly inferior to others which mankind shall one day voyage after, discover, and annex to human possession."

Sir Michael Moore.

• • • • • • •

"This sect of Puritans loves law, deliberation, order, method; it is the most methodical sect that ever lived. But it loves liberty, and while it loves law, it loves law chiefly because it keeps liberty; and without that it would trample law under foot.

"See how the sons of the Puritans, as soon as they came to a consciousness of what the despotic idea was, took their charters and wiped slavery clean out, first from Massa-

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chusetts, and then from the other States, one after another. See how every northern State, in revising its Constitution, or in making a new one, declares the Puritan idea, all men are created equal, that all have the right to life, liberty, and the pursuit of happiness."

• • • • • • •

"It is an advantage to be descended from a race of industrious, moral and religious Puritans; to have been brought up under their training, to have inherited their ideas and institutions—and this is a circumstance which we make quite too little account of."

• • • • • • •

"The Puritan is afraid to violate the eternal law of God."

• • • • • • •

[fol. 18] "The Puritan had within him the prime quality of mental integrity; he was a sincere lover of the truth; would neither deceive himself nor others; was no diplomatist of ideas, no politician of thoughts, no juggler of speech. He desired the ultimate facts. The charge of intellectual pretense or affectation cannot, without malignity, be brought against him. He was a devoted 'lover of wisdom,' and therefore, by definition, a philosopher."

Samuel J. May, Jamestown, N. Y.

The Puritan Church.

GENTLEMEN:

Your writings are wonderful. It gives one so much more faith in the hereafter, no more worry over the future after we pass out.

If I can understand your writings, so far, all we need to do is live a life as good as possible and believe God is good, and we will get our reward. I do not believe God forgives us. We must work our way through eternity through our acts here and hereafter.

Respectfully, F. J. M.

• • • • • • •

April 24, 1944.

DEAR F. J. M.:

Permit me personally, to answer your letter to the Puritan Church.

The Puritans teach, that at what mortals call death, the emancipated spirit passes on to another consciousness of

which we know not the details, nor cannot know until we [fol. 19] enter there, any more than the infant is aware of the consciousness of youth until it has entered into that period of its development. But resting on the infinite perfection of God, we have nothing to fear, but every good thing to hope for and confide in. No misfortune happens to him who dies; he is but born again. He has taken one step more in the endless progress of the individual. From glory to glory is a good word for the perpetual advance of the spirit from one consciousness to a higher one.

Nay, it is the doctrine of this Church, that the God who fills the violet with perfume and the rose with beauty, the God who provides the animals with a heavy coat of fur for the severe winter, and a lighter one for a mild one, will not punish any man or woman either in this or in the next consciousness.

God's laws, both material and spiritual, are unerring and eternal. For the violation of either of them, there are consequences, never punishment. For example; water will not run uphill; that is one of God's material laws. If you violate it, you are not punished; the consequences of its violation will be that your enterprise that calls for water to run uphill will fail, here and now. Another of God's laws is:

"And as ye would that men should do to you, do ye also to them likewise."

That is one of God's spiritual laws. If you violate it, there is no punishment by God here or hereafter. But the consequences of its violation will be manifested here, in the lack of the development in your character; its full development is necessary now, to allow God's bounty of health, happiness and material wealth to flow to you.

[fol. 20] For over 300 years on American soil, the Puritans have demonstrated that any man or woman who lives true to the laws of his being, as they are written by God in the heart and in nature, will be blessed here and now.

The teaching of this Church rests on the words of Jesus as they were spoken by Him, two thousand years ago; they were good then; they are good now. The Puritans believe that the sun will fade out of the heavens sooner than His words will fade out of the hearts of men and women. He said:

> "I am the resurrection and the life; he that believeth in me, though he were dead, yet shall he live. And

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whosoever liveth and believeth in me shall never die. Believeth thou this?"

Very truly yours, The Chancellor.

• • • • • • •

Warrensburg, Mo.

The Puritan Church, LaGrange, Ill.

DEAR PURITAN:

I have read and reread the seven lessons that you have sent me, and I think that I understand every word of it and am of one accord with its teaching. Will you kindly admit me to life membership in the Mother and Father Church of the Puritans organized in your city?

• • • • • • •

Fresno, Calif.

Chancellor of the Puritan Church, LaGrange, Illinois.

I am enclosing my $2.00 remittance, which is overdue. I had become so absorbed in the study of the lessons that the passing of time was unnoticed.

[fol. 21] I have been enjoying and appreciating these lessons. They come more nearly expressing my conception and conclusions of the Bible than anything else I have seen. I wish it were possible to have a "question and answers" phase of these lessons. There are times when I would like to ask a question or two, if it could be done without appearing impertinent.

Yours sincerely, H.S. S., Toledo, Ohio.

• • • • • • •

Puritan Church, LaGrange, Ill.

MY DEAR CHANCELLOR:

Just a line to thank you for your marvelous teachings. I have today reread the four lessons I have had, and this evening the fifth lesson arrived, which I also read. Needless to say, I am all enthused by the wonderful Truth you reveal. I feel as though I want a new lesson every week, and more than that I feel as though I want to live in LaGrange, close to the Church where I can be with Instructors.

Am enclosing offering in envelope. Kindly send me the

next lesson, please, as I am hungry and want more spiritual food Truth.

Sincerely yours, C. C. G.

• • • • • • •

Birmingham, Wash.

DEAR CHANCELLOR:

I would like to enroll in the Church of the Puritans as I have read the introductory sheets and find them very much to my liking, and will say it has helped me already. So if [fol. 22] my contribution is satisfactory, please send me Lesson No. 1, and I'll send what I can. I'm a member of no church, but my dad was one of the old Puritans, so I know I'll be helped.

Respectfully yours, M. F.

• • • • • • •

New Phila., O.

To the Puritan Church, LaGrange, Illinois.

FRIENDS:

Just a line to let you know I received my second lesson on Divine Healing. Also the Bible you sent me. I am very proud of it, and I thank you very much for it. You shall be rewarded for every thing you are doing for me, for I know I shall be able to be up and around again through your teaching of Divine Healing, and I shall see that you are well rewarded for it, and may God Bless you.

Very truly yours, C. G.

• • • • • • •

New Phila., O.

DEAR CHANCELLOR:

I received my first teaching from you of the Puritan teaching of Divine Healing a few weeks ago, and I read it carefully every day. I can truthfully say that it is the kind of teaching I have been looking for, for a good many years. I can't give enough thanks to the Puritans for showing me the way to our true Lord God. I know if I [fol. 23] put all my trust in the Lord God, he will heal my

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body. So will you please send me your second teaching on Divine Healing?

Very truly yours, C. G.

• • • • • • •

Rock Island, Ill.

Chancellor, The Puritan Church, LaGrange, Ill.

Dear Friend:

I have been studying this lesson on the Old Testament and other instructions in it, and I would like lesson No. 2. I think it is wonderful. It has interested me so much I would like to become a member of the Church if it is possible. I will send some money to you on payday. As we receive the benefits of God, we ought to give to the work as we are prospered.

Yours sincerely, H. P. M.

• • • • • • •

Rockford, Ill.

The Chancellor, Puritan Church, LaGrange, Ill.

Dear Sir:

Enclosed is my contribution for my third lesson. Have read and read again many times the first two lessons, and I am overjoyed at the inspiration and spiritual comfort received from them.

I feel thankful to my God for having the privilege to receive such beautiful truths couched in language so plain [fol. 24] that I am able to enjoy being alone hours with each page.

Very cordially yours, Mrs. E. K.

• • • • • • •

Norfolk, Virginia.

Dear Chancellor:

Please forward the second teaching of the Puritan Church. Not only I, but a dear one who never seemed to take an interest in religion, loved the first teaching.

Enclosed is $2 contribution. Thanking you.

G. W. W.

• • • • • • •

Springfield, Mo.

The Chancellor, LaGrange, Ill.

DEAR CHANCELLOR:

I am enclosing my gift for your very interesting lessons. Your third lesson was received and read, and pondered with keen interest. I feel sure that as time goes on the lessons will get more interesting and will bring out some wonderful Truths relating to the law of healing and prosperity. I will await your next lesson with much interest.

It may be that in the near future I will change my address, but when I do, I will inform you in plenty of time.

Most sincerely, H. G.

• • • • • • •

"First came those Puritans who knelt on the sands of the wilderness, whose depths they knew not, nor its prophecy. Yet, trusting in God, absolutely, in want as [fol. 25] in war, they, with their prayers, there laid the foundation on which they built both the United States of America and the Puritan Church—the Church of America."

• • • • • • •

The Puritans have outgrown their church edifices: Their temples are in the homes; their cathedrals are in the skies; their altars are in the hearts of men everywhere.

GOD

I am understanding: I have strength.
By me Kings reign, and Princes decree justice.
By me Princes rule, and Nobles, even all the Judges of the earth.
I love them that love me; and those that seek me early shall find me.
Riches and Honour are with me; yea, durable riches and righteousness.
My fruit is better than gold, yea, than fine gold; and my revenue that Choice Silver.

• • • • • • •

Now therefore hearken unto me, O ye children: for blessed are they that keep my ways.
Hear instruction, and be *fise*, and refuse it not.

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Blessed is the man that heareth me, watching daily at my gates, waiting at the post of my doors.
For who so findeth me findeth life,
But he that sinneth against me, wrongeth his own soul.
(Proverbs 8:14 to 36.)

• • • • • • •

The same blood which flowed in the veins of Captain Parker, who led the colonists in the first battle of the War [fol. 26] for American Independence, flows in the veins of the tenth generation of Americans born on American soil, who are present members of this Church. Captain Parker is he who uttered the manly words which are carved on the Memorial Boulder placed on the battlegreen at Lexington, Massachusetts. (See back cover.)

There are no entrance ceremonials; in the Bible, there is no authority for any; there is no initiation fee. All you have to do to become a life member of the Puritans, is to sign the application for membership. This will be mailed to you for your signature, upon a letter from you, stating that you desire to become a Puritan. Thereafter, you and your children could say that you are Puritans, even though previously, you may have said, that you were a Jew, or a Catholic, or a Methodist, or a Lutheran, etc.

When a person expresses a desire to become a Puritan, no questions are asked about his nationality, color, or previous creed. Puritans bid him welcome, and God speed in the good course. The Puritans do not believe that error is stronger than truth.

Every person, who believes in the Puritan principles, as they are fully and clearly stated here, should attack the Puritans in their 400 year effort despite attack and persecution, to accomplish the following:

"And they shall beat their swords into plow shares, and their spears into pruning hooks: nation shall not lift up a sword against nation, neither shall they learn war anymore.

"But every man shall sit under his vine and under his fig tree; and none shall make them afraid: for the mouth of the Lord of hosts hath spoken it."

(Isa. 2:4; Mic. 4:3; Joel 3:10.)

[fol. 27] "For ye are all the children of God.
"There is neither Jew nor Greek, there is neither bond nor free."

(Gal. 3:26, 28.)

"Have we not all one Father? Hath not one God created us?"

(Mal. 2:10.)

The Puritan Church
—the Church of America
Chancellery at LaGrange, Ill.

"America shall introduce a pure religion"
Ralph Waldo Emerson, Centenary Edition of Emerson's Works, Vol. 10, Page 12.

• • • • • • •

Line of the Minute Men
April 19, 1775.
Stand Your Ground
Don't Fire Unless Fired Upon
But If They Mean To Have a War
Let It Begin Here
Captain Parker

This boulder, at Lexington, Massachusetts, marks the spot where the Puritans fired the first shot of the American Revolutionary War to rid this land of tyranny. It stands there still, as a reminder, that "Our Country," which they built, will not countenance tyranny, whether it be of ideas or persons, either foreign or domestic.

The Court overruled the motion of Harrison Parker to quash the Information.

[fol. 28] The Court appoints Charles A. Bellows as counsel for said Harrison Parker.

Cause continued to July 29, 1946.

Charles A. Bellows files his appearance: cause continued until August 5th, 1946.

Motion to continue cause until August 15, 1946; that Harrison Parker be allowed until August 15th, to file his Answer in this cause.

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Order of Court to continue cause until August 15, 1946.

Harrison Parker files his written motion and affidavit in support thereof, for a change of venue from Cook County.

AFFIDAVIT IN SUPPORT OF MOTION FOR CHANGE OF VENUE

Affidavit of Harrison Parker in support of motion for a change of venue from Cook County:

In the year 1914, Harrison Parker was the President and Publisher of the Chicago American, a newspaper: on August 5, 1914 Edward S. Adams, a cousin of Robert R. McCormick, the editor and president of the Tribune Company, filed a lawsuit numbered 310206, against the said Robert R. McCormick, in which said Adams alleged under oath that said McCormick had debauched the wife of said Adams in the town house and in the Lake Forest home of said Adams; whereupon, said Robert R. McCormick filed a lawsuit numbered 22619, in the Federal Court of Chicago to have said Adams adjudicated a Bankrupt; upon the filing of the lawsuit, an agent of said McCormick waited upon said Harrison Parker in his office, 326 W. Madison Street, Chicago, and there, stated to said Harrison Parker, that [fol. 29] the U. S. Judge then sitting in the Federal Court, had agreed to ruin said Adams in the said Court proceedings, provided that every newspaper publisher in Chicago, would agree to suppress all "news" of such proceedings; that all newspaper publishers had agreed, and said Harrison Parker was expected to agree to suppress said "news:" that said Harrison Parker told the said agent of Robert R. McCormick, that he Harrison Parker, was a hired man who was paid a salary, to print the "news" and not suppress it: that the appeal of said Robert R. McCormick should be to William Randolph Hearst who owned the said Chicago American. That the said agent of Robert R. McCormick left the office of said Harrison Parker, vowing the vengeance of the entire Medill-McCormick family and their privately owned Chicago Tribune against said Harrison Parker:

Within an hour another agent of Robert R. McCormick returned and stated, that said Harrison Parker was right: then and there, an appeal was made by telephone to William Randolph Hearst at his San Simeon Ranch; he ordered said Harrison Parker to "suppress" in the Chicago Ameri-

can the "news" of the proceedings in the Federal Court: thereafter Robert R. McCormick libelled said Harrison Parker in his privately owned Chicago Tribune beginning with the year 1915, and continuing regularly up to and including 1946: the libels ruined the business life of said Harrison Parker and the social life of his family: on August 25, 1932 said Robert R. McCormick carelessly had said Harrison Parker libelled in the Chicago Tribune; whereupon said Harrison Parker sued the Chicago Tribune for a libel damage of one million dollars: Weymouth Kirkland, the general counsel for the Chicago Tribune, settled the libel damage for $75000; upon the filing of the praecipe: [fol. 30] Robert R. McCormick repudiated both said Kirkland and his suggested settlement:

Said Kirkland then invited said Harrison Parker to call upon him at his office, 33 North LaSalle Street: there, he told said Harrison Parker that said Robert R. McCormick controlled all the Courts of Illinois, from the Municipal up to and including the Supreme Court of Illinois: that said McCormick controlled the State's Attorney of Cook County: that said McCormick was a dangerous man to mix with in the Courts: that said Harrison Parker would be defeated by the orders of said McCormick in every piece of litigation in which he might engage in the Courts of Illinois: to make his threat more articulate, said Kirkland informed said Harrison Parker, said Robert R. McCormick had hired him, said Kirkland, to fix the Appellate Court of Chicago, to set aside the award which a jury had made to Judge William Fennmore Cooper, against the Chicago Examiner: said Harrison Parker that day viewed in the Appellate Court, the record to which said Kirkland had referred him, and found the situation there, as said Kirkland had boasted:

Following this interview with said Kirkland, Howard Ellis, a partner in the Kirkland law firm, sent for said Harrison Parker to come to his office at 33 North LaSalle Street: there, said Ellis informed said Harrison Parker that the Chicago Tribune would "get rough" with him, unless said Harrison Parker dismissed his libel damage lawsuit against the Chicago Tribune: said Harrison Parker did not take said Ellis' advice:

Thereafter, the Appellate Court of Chicago was either influenced, intimidated or bribed, to write against the evidence in case 36295 an obviously crooked opinion with a

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malice count, which compelled said Harrison Parker either [fol. 31] to pay one Mae Quinliven $7000, or go to the debtor's cell at the Cook County Jail: said Harrison Parker considered it more honorable, under the circumstances to go to the County Jail, rather than to pay the $7000, and he went there:

Said Harrison Parker in the Cook County Jail, was offered $7000 by said Howard Ellis, if he, said Harrison Parker, would dismiss the said libel lawsuit: said Harrison Parker refused.

Following the refusal to accept the $7000 offered by said Howard Ellis, the then Warden of the Cook County Jail named Money Penny, warned said Harrison Parker, that an assassin with a knife to kill said Harrison Parker, had been discovered in said Harrison Parker's cell, placed there by the Tribune law firm:

That thereafter, a second attempt was made to poison said Harrison Parker in his cell at the Cook County Jail, with arsenic poison: said Harrison Parker "hollered" so loudly about the attempts made to murder him in the Cook County Jail, that Weymouth Kirkland, uninvited, called at the County Jail, and there released said Harrison Parker, as easily as he had been incarcerated there, by the Tribune law firm "to shake him (said Harrison Parker) down" in a libel damage settlement with the Chicago Tribune, from the agreed upon settlement of $7500, to the $7000 settlement to which said Harrison Parker would not agree, even under the duress of murder:

Upon the release of said Harrison Parker from the Cook County Jail, he discovered in hidden records that taxable items of personal property of said Tribune Company, had been omitted from the tax rolls of Cook County (Exhibit [fol. 32] A), for 66 consecutive years:

EXHIBIT "A" TO AFFIDAVIT

Hon. Julius H. Miner,
Judge of the Criminal Court,
Chicago, Illinois.

Dear Sir:

The Revenue Act of Illinois, in effect since 1872, and upheld by every Court to which it has ever been submitted, even the U. S. Supreme Court, provides, that all property

located in Illinois, like Machinery, Capital Stock, etc., whether owned by an individual or by a corporation like the Tribune Company, is subject each year to a personal property tax.

Schedule II in the enclosed piece of documentary evidence, is the certified balance sheet of the Tribune Company, for the year 1923, which is typical of similar evidence for 65 other years, in the possession of this Church, for use by a grand jury; this Schedule shows, that the Tribune Company for that year, had in its "possession and custody," a large amount of taxable personal property: Schedule I is a certified copy of the books of the Cook County Assessor showing, that for the same year, this taxable personal property of the Tribune Company, was omitted from the tax rolls of Cook County.

The omission of the taxable items from the tax rolls, was in violation of the Constitution of Illinois, the Revenue Act of 1872, and a mandate of the U. S. Supreme Court.

According to the Books of the County Assessor and the County Treasurer for 1923, the Tribune paid a total tax of $39,545.50 upon an assessor's illegal valuation of $550,-000; for that year, the Tribune Company paid its stock-[fol. 33] holders a cash dividend of $3,300,000, or about 1600% on its paid in capital of $200,000.

Had not the County Assessor omitted from the tax rolls of Cook County, the taxable items in the possession and custody of the Tribune Company, for the year 1923, it would have paid at the same rate which others paid, a personal property tax of $650,000, on a valuation by the rule of the U. S. Supreme Court, of about 60 million dollars, and its stockholders would have received for that year, only approximately $2,700,000 as cash dividends on their investment.

The penalty and interest on the omitted taxable items for this year, now amounts to approximately $3,236,772: and the tax is accumulating interest at the rate of 10% per year. The accumulation on all the years for which this Church has similar evidence, is the approximate sum of 100 million dollars; the evidence in the possession of this Church, shows, that the Tribune Company has a hidden surplus of 150 million dollars: so, it is always financially able to pay its debt to Cook County, when the State's Attorney shall start to collect it.

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According to the law of Illinois, the tax on an omitted item of taxable property, is never outlawed. There is no provision in the law, for either "settling" or "compromising" any part of the tax due, or the penalty, or the interest on the taxable items omitted from the tax rolls.

This evidence, in this form for 66 consecutive years, was presented to William J. Tuohy, the State's Attorney of Cook County, when as Assistant State's Attorney of Cook County, he was in charge of the collection of taxes. The [fol. 34] law of Illinois is, that, when an omitted item of taxable property is "discovered," the State's Attorney shall (not may) proceed to its collection: this, William J. Tuohy, both as an Assistant, and as the responsible State's Attorney of Cook County has refused to do: this is malfeasance in public office: this under the law, is an indictable offense.

Under the corruption which William J. Tuohy has introduced into government, murder has increased 20%, rape 57% and taxes on Cook County homes have been doubled.

The Protestants who, when led by the Puritans, constitute the majority of voters of Cook County, will not dwell under corruption in the machinery of justice, such as the enclosed evidence discloses.

On this piece of evidence alone, the Puritan Church demands that you proceed, to presenting to the Cook County grand jury, this evidence of a crime in the County of Cook, State of Illinois.

This Church offered in a letter, to exhibit this evidence to the Cook County grand jury. For doing that, Jacob Shamberg, Tuohy's assistant State's Attorney in charge of the crooked tax department, had a woman Minister of the Puritan Church, illegally grabbed, tossed into the Cook County Jail, and there "mugged", fingerprinted and otherwise manhandled. Now, by perjury, by an Assistant State's Attorney, the Chancellor of the Puritan Church, in answer to this churches letter to the Cook County grand jury, offering to display to it, the enclosed evidence of a crime, is summoned before Chief Justice Ward of the Criminal Court, for Contempt of Court: the charge is, writing a letter to the Cook County grand jury and depositing it in [fol. 35] the U. S. Mail: this Church is not worrying about the charge.

Very truly yours, The Puritan Church: By Its Chancellor.

CONDENSED BALANCE SHEETS AND STATEMENT OF NET PROFITS FROM OPERATIONS AND DIVIDENDS PAID

(FROM LLOYD VS. LLOYD, 341 ILL. 461)

ASSETS AS OF DECEMBER 31, 1923

LIABILITIES	
Leasehold	$ 203,097.82
Building	1,892,817.47
Plant, Machinery & Equipment	3,010,546.25
Investments	3,404,322.84
Chicago Building Co. Stock	2,911,900.00
Working Assets	1,407,227.95
Current Assets	3,068,762.84
Real Estate, excluding Tribune Building	260,120.64
Capital Stock	$ 200,000.00
Surplus	9,831,705.96
Current Liabilities	2,199,469.95
Service Liabilities	101,758.95
Reserve for Doubtful Accts	328,912.20
" " Taxes	727,938.97
" " Dep. Tribune Bldg.	425,877.61
" " Leasehold	54,375.95
" " Machinery & Equipt.	1,442,259.82
" " Real Estate except Tribune Building	19,136.40
Miscellaneous Reserves	827,360.00
TOTAL LIABILITIES	$16,158,795.81
*Net Profit for the year	$ 4,365,047.40
Dividends	3,300,000.00

[fol. 36] Town.....

		1923 Tribune
1.	Horses	.....
2.	Cattle	.....
3.	Mules & Asses	.....
4.	Sheep	.....
5.	Hogs	.....
6.	Steam Engines	.....
7.	Safes	.....
8.	Billiard Tables	.....

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9.	Carriages & Wagons	.....
10.	Watches & Clocks	.....
11.	Autos	.....
12.	Piano Fortes	.....
13.	Melodeons & Organs	.....
14.	Franchises	.....
15.	Annuities & Royalties	.....
16.	Patent Rights	.....
17.	Steamboats, Vessels, etc.	.....
18.	Merchandise	.....
19.	Material & Mfgd Articles	.....
20.	Manufacturer's Tools, Implements & Machinery	.....
21.	Agricultural Tools, Implements & Machinery	.....
22.	Gold or Silver Plate	.....
23.	Diamonds and Jewelry	.....
24.	Moneys of Bank, etc.	.....
25.	Credits of Bank, etc.	.....
26.	Moneys of other than Bank, etc.	.....
27.	Credits of other than Bank, etc.	.....
28.	Bonds or Stocks	.....
29.	Shares of Stock of Companies not incorporated by laws of this State	.....
30.	Property of Pawnbroker	.....
31.	Property of Companies and Corporations other than property hereinbefore enumerated	50,000
32.	Bridge Property	.....
[fol. 37]	33. Property of Saloons and Eating-houses	.....
34.	Household or Office Furniture	.....
35.	Investments in Real Estate	.....
36.	All other Property	1,051,000
	Total Full Value	1,101,000 R
	Total Assessed Value	550,500
	Corrected by Board of Review	550,500
	TOTAL ASSETS	$16,158,795.81

* From operations before payment of dividends.

One is a certified copy of the balance sheet of the Tribune Company, showing that for the year 1923, it was possessed

of taxable personal property like "machinery," "capital stock," etc; the other is a certified copy of the books of the County Assessor, showing that these taxable items were omitted feloniously from the tax rolls; the year 1923 is a typical year; this Puritan Church has similar evidence for 66 consecutive years.

By this cunning method, the decent law abiding taxpayers of Cook County were robbed by the Chicago Tribune of the approximate sum of 40 million dollars, while the multimillionaire stockholders of the Chicago Tribune, including its Robert R. McCormick, were correspondingly enriched.

This evidence of a crime in Cook County was submitted to the Kelly-Nash State's Attorney, William J. Tuohy. Instead of doing his duty, he is trying to suppress this ugly evidence of his own malfeasance in public office, by trying to jail the men and women ministers of the Puritan Church. That the amount now due to Cook County for taxes on the taxable items omitted from the tax rolls, amounts to the approximate sum of 100 million dollars;

Thomas J. Courtney, the State's Attorney, refused to bring a lawsuit to recover from the Chicago Tribune, the sum of money it owes Cook County;

[fol. 38] Whereupon said Harrison Parker started an ex rel lawsuit to recover from the Chicago Tribune, the money it owes to Cook County.

Thereafter, said Harrison Parker was offered a libel damage settlement of $25000 at the Lake Forest home of Roy D. Keehn, where said Kirkland was present: said Harrison Parker refused said offer: thereafter, an offer by the Chicago Tribune of $5000 a year for life was offered to said Harrison Parker, through Governor Heil of Wisconsin.

This offer was withdrawn before said Harrison Parker had the opportunity to refuse it.

Then, the Chicago business and social friends of said Harrison Parker were flooded with scurrilous, anonymous letters: the U. S. Post Office Inspectors determined that Howard Ellis of the Kirkland law firm, was the writer of the scurrilous and anonymous letters.

Meanwhile, the ex rel lawsuit by said Harrison Parker to recover the money the Chicago Tribune owes Cook County, landed in the Supreme Court of Illinois: said Kirkland has warned said Harrison Parker that said Robert

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R. McCormick could and would fix every Court of Illinois, in which either said McCormick, or his Chicago Tribune had a money interest: the Opinion of the Supreme Court of Illinois, in the Tribune tax litigation, reported in 370 Ill. 243, does not refer to the record then before that Court: this litigation in which approximately 100 million dollars of state funds are involved, was dismissed on defective pleadings, without an order to the State's Attorney of Cook County, to do his duty on the facts presented: the evidence of the Chicago Tribune's frauds against Cook County, was placed in the hands of the Puritan Church.

[fol. 39] Some of its members are owners of homes in Cook County free and clear: they had complained to their Church, that the taxes on their homes, had been doubled, since the said Robert R. McCormick had taken over the control of both the Kelly-Nash democratic and Governor Green's State republican machines, with his William J. Tuohy and their Jacob Shamberg in charge of the tax collection department in the State's Attorney's Office.

That to uphold Section 7 of its Creed, to-wit: "the strong must protect the weak," the Puritan Church wrote a letter to Governor Green: there was no answer (Exhibit C): it wrote a letter to Hon. Michael McKinley, Chief Justice of the Superior Court of Cook County; there was no answer: it wrote a letter to Harold D. Ward, Chief Justice of the Criminal Court of Cook County (Exhibits D and E); there was no answer: it wrote a letter to Thomas J. Courtney, State's Attorney of Cook County (Exhibit B); there was no answer: it wrote a letter to the Chicago Bar Association (Exhibits F and G); there was no answer: it wrote a letter to the Commonwealth Edison Company (Exhibit J); there was no answer: it wrote a letter to the City Club (Exhibit K); there was no answer: it wrote a letter to the Kirkland law firm (Exhibit L); there was no answer: it wrote a letter to William J. Tuohy, the State's Attorney of Cook County (Exhibit M); there was no answer: it wrote letters to various foremen of Cook County grand juries (Exhibits O, O-1, O-2, O-3, O-4); there were no answers.

Then, the Puritan Church sent an orderly appeal to the Board of Tax Appeals of Cook County; the answer to that, was an attempted felonious assault upon said Harrison [fol. 40] Parker, by James J. McDermott, member of said Board of Appeals.

Previously before the same Board of Appeals, said Weymouth Kirkland had attempted a felonious assault upon said Harrison Parker; the only blow delivered by said Kirkland, to land upon said Harrison Parker, were the following words taken from the Court Record in the lawsuit of said Harrison Parker against said Weymouth Kirkland, for slander:

> "He (meaning Harrison Parker) has a diarrhoea of the mouth: he is a rat, a dirty rat, he ought to be taken for a ride; why you— (Mr. Kirkland meaning such vile repulsive, vulgar, nauseating words, that the same are not fit to print or write: then said Kirkland attempted to strike Mr. Parker)." (Record Parker vs. Kirkland, 298 App. 38.)

Said Harrison Parker sued said Kirkland for slander; the trial Judge Joseph A. Sabath, dismissed the lawsuit, upon the motion of said Kirkland, on the ground that said Kirkland, a lawyer, could say anything, with impunity.

This Opinion was appealed to the Appellate Court of Chicago where the Court decided in an opinion written by Judge Hugo Friend, that the American rule of law, that a lawyer could say anything that was pertinent to the issue, was abandoned, and the English rule was then and there adopted, that a lawyer has a right to say anything in a Court: to get Kirkland over that spot, Judge Friend ruled, that the Board of Appeals of Cook County, is a judicial body. (298 Appellate 340):

Said Harrison Parker did not appeal Judge Friend's unique Opinion.

Irked by the persistence of the Puritan Church in adver- [fol. 41] tising the corruption in the State's Attorney's Office, under its administration by William J. Tuohy, which has caused in Cook County, an increase of 20% in murder: 57%in rape: and 100% in taxes, Joseph Shamberg, an assistant State's Attorney in charge of taxes, whom the Puritan Church has accused of "selling out" Cook County, in favor of the politically powerful Chicago Tribune, had Dr. Agnes Richardson, the Minister of the Mother and Father Church of the Puritans, illegally dragged before Judge Daniel P. Trude, a former general counsel for the Chicago Tribune, on a charge of Contempt of Court.

The innocent and defenseless woman was hustled into the Cook County Jail, by a crooked order written by the Tribune law firm: there she was "mugged" finger printed and otherwise manhandled, before a bondsman could be procured for the outraged woman: the Appellate Court has ruled that her arrest and incarceration in the jail, were illegal, but she had to endure the humiliation of a "news" story in the Chicago Tribune.

The same Appellate Court in litigation in which said Harrison Parker was engaged with the said Jacob Shamberg, said this about him, although Harrison Parker's sanity was not an issue, and the Appellate Court has no jurisdiction in insanity matters:

> "After a careful consideration of the many wild charges and statements contained in the pleadings, we concluded that if there had been interposed in the trial court, the defense that Parker was not of sound mind, when he filed the documents, such a defense would have required serious consideration."

[fol. 42] And the same Appellate Court gave its opinion of the lawyer who was defending Harrison Parker:

> "Attorney Frankel was false to his obligations as an attorney when he filed the brief in question, and he has proven out of his own mouth, that he is not fit to serve as "a Minister in the temple of justice."

Attorney Frankel was cited before the Chicago Bar Association and acquitted by an unanimous vote of its committee of inquiry; this news was suppressed in the Chicago Tribune: this opinion by the Appellate Court permitted the Chicago Tribune under the privilege of a Free Press to publish the following

> "Parker's 90 day Contempt Term upheld as mild."

Then, the Puritan Church still intent upon preserving the Constitution of Illinois, and upholding the law passed by her legislature, on May 9, 1946, wrote the letter which is set forth in haec verba on Page 3 of this abstract: the answer to that was an Information by William J. Tuohy, the State's Attorney, for Harrison Parker to show cause, why he should not be punished for contempt of court for signing this letter, as the Chancellor of said Puritan Church.

That the numerous jailings of said Harrison Parker and the inflammatory "news" about such jailings, printed in the Chicago Tribune, have caused such a prejudice in the minds of the inhabitants of Cook County, against him, that it is impossible for him to obtain a fair trial: and he cannot obtain anywhere, a lawyer who will defend him in said Courts, in view of the attacks present and future, which the sought lawyers feel will be made upon them in the "news" columns of the Chicago Tribune, and in the opinions of the judges who would uphold the Chicago Tribune in its [fol. 43] Constitution and law violations and its violence to jail the persons who will defy the Chicago Tribune and its Robert R. McCormick, rather than uphold constitutional government on American Soil.

A letter by the Puritan Church to Hon. Julius Miner of the Criminal Court of Cook County, in which the Puritan Church reveals to him, the law violations of the Chicago Tribune, to enrich its stockholders, at the expense of the other taxpayers of Cook County.

A letter to Thomas J. Courtney, the State's Attorney of Cook County, by the Puritan Church, in which he is informed, that the Ecumenical Council of the Puritan Church, has instructed Harrison Parker as its agent to appear before the Cook County grand jury, and there, present, to it, the evidence by which the stockholders of the Tribune Company, were enriched by approximately 100 million dollars while the overburdened taxpayers of Cook County were correspondingly robbed by a criminal conspiracy, in which the following participated:

Robert R. McCormick, editor of the Chicago Tribune;

Weymouth Kirkland, the general counsel for the Chicago Tribune;

Moe Annenberg, Terry Druggan and other tax thieves, scoundrels and law-breakers;

John S. Clark, the Cook County Assessor;

James McDermott, member of the Board of Appeals of Cook County;

John Toman, member of the Board of Appeals of Cook County;

Harry M. Fisher, judge of the Circuit Court of Cook County;

[fol. 44] Joseph Burke, judge of the Circuit Court of Cook County;

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Jacob Shamberg, former Assistant State's Attorney of Cook County;

Thomas J. Courtney, State's Attorney of Cook County.

Letter to Governor Dwight H. Green, by the Puritan Church, in which the Puritan Church advises him, that Article V. Sec. 6 of the Constitution of Illinois, is as follows:

> "The supreme executive power shall be vested in the governor who shall take care that the laws be faithfully executed."

that the Puritan Church had the evidence to substantiate every statement of constitutional and law violations made in its letter to him.

Letter to Dwight H. Green, Governor of Illinois, by the Puritan Church, in which it stated, that because of law violations in Cook County, the tax rate in Chicago, will be $4.25 per C, the highest in the U. S. A. except in the City of Boston: that the Chicago Tribune had paid its stockholders $28,063,616.80 upon a paid in capital of $200,000, without paying to Cook County a single cent of the capital stock tax due on such cash dividend; that with penalty and interest added, the amount is approximately 100 million dollars.

A letter to Hon. Michael L. McKinley, the Chief Justice of the Superior Court of Cook County, by the Puritan Church, in which the Puritan Church states, it would insist upon a public investigation of the taxing machinery of Cook County: that as a paid official of Cook County, he might like to look into a situation which a grand jury seems afraid to investigate.

> [fol. 45] "The Puritan idea of government is founded in human nature, and comes from the nature of God who made human nature. To carry it out politically is to execute justice, which is the will of God. This idea, in its realization, leads to a democracy, a government of all, for all, by all.
>
> "Such a government aims to give every man all of his natural rights; it desires to have political power in all hands, property in all hands, wisdom in all heads, goodness in all hearts, religion in all souls. That means the religion that makes a man have self-respect, be earnest, and faithful to the infinite God, that dis-

poses him to give all men their rights, and to claim his own rights, at all times; the religion which is piety within you, and goodness in the manifestation.

"Such a government has laws, and the aim thereof is to give justice to all men: it has officers to execute these laws, for the sake of justice. Such a government founds schools for all; looks after those who are most in need; defends and protects the feeblest as well as the richest and most powerful.

"The state is for the individual, and for the individuals and so it reverences justice, where the rights of all, and the interests of all, exactly balance. It demands free speech; everything is open to examination, discussion, 'agitation,' if you will. Thought is to be free, work to be free, and worship to be free. Such is the Puritan idea, and such the State which it attempts to found."—Sumner.

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[fol. 46] "... Under the rule of England by the Puritans justice was administered between man and man with an exactness and purity not before known. Under no English government since the Reformation had there been so little religious persecution. . . . Even the Jews, whose public worship had ever since the 13th Century been interdicted, were, in spite of the strong opposition of jealous traders and fanatical theologians, permitted to build a Synagogue in London.

". . . After half a century during which England had been scarcely of more weight in European politics than Venice or Saxony, she at once became the most formidable power in the world, dictated terms of peace to the United Provinces, avenged the common injuries of Christendom on the pirates of Barbary, vanquished the Spaniards by land and sea, seized one of the finest West Indian Islands, and acquired on the Flemish Coast a fortress which consoled the national pride for the loss of Calais. She was superior on the ocean. She was the head of the Protestant interest. All the reformed churches scattered over the Roman Catholic Kingdoms, acknowledged Cromwell as their guardian."—Lord Macaulay.

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". . . He will be wise to believe that these Puritans do mean what they say, and to try unimpeded if he can discover what that is. Gradually a very stupendous phenomenon may rise on his astonished eye. A practical World based on Belief in God.

"Our ancient Puritan reformers were, as all Reformers that—will ever much benefit this earth are [fol. 47] inspired always by a Heavenly Purpose. To see God's own law then universally acknowledged for complete as it stood in the Holy Written Book made good in this world; to see this; or the true unwearied aim and struggle toward this; it was always a thing worth living for and dying for! Eternal Justice; that God's Will be done on Earth as it is in Heaven. . . . " Carlyle.

"There is no higher example of faith in the Progress of Humanity than the consciousness of the Puritan who, amidst sharp inward conflicts and outward battles, holds fast his confidence in the reality of God's voice speaking through Reason and Conscience, wrestles in mind till he has won a faith in the living God, grasps this faith with a firm hold, and grounds upon it holy customs and laws for his descendants, and lastly beholds in hope, its establishment hereafter as the common possession of all mankind.

"The Puritan is able to do all this, because he finds the warrant for his faith not only in reason and conscience, but also in the events and experiences of his life; and because he acts in obedience to this faith. This is the world-wide import of the Puritan's faith and hope.

"As the oak proceeds from the acorn, so do universally observed customs proceed from a person; and hence we reverence, in the Puritan, a great personality which we can understand and admire, and which is, moreover, the most ancient with which American history presents us. With the Puritan commences Modern [fol. 48] American history, that is to say, the history of moral personalities and their influences."

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The object of Puritanism is to lift man toward God.

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The aim of the Puritan religion is a noble people, where all are well fed and clad, industrious, free, educated, manly, pious, wise and good.

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The fundamental doctrine of Puritanism is summed up in three points,—consciousness of infinite God, of the immortality of the Spirit, of the eternal right.

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The Puritan believes that there is around and within him, an omnipotent power in which he lives, moves and has being, eternally manifesting itself in the stars, the trees, the flowers, the animals, the birds, and in all the other animates and inanimates, throughout the whole range of natural phenomena. This thought has ever disposed him to be religious.

Religion is the only basis for everything. It must go everywhere, into the man's shop, into the seamstress' workroom, must steer the sailor's ship. Reverence for the Infinite Mind, and Conscience, and Heart, and Soul, who is Cause and Providence of this world,—that must go up to the highest heights of our speculation, down to the lowest deeps of our practice. Take that away, and there is nothing on which you can depend, even for your money; or for your liberty and [fol. 49] life. Without a reverence for the higher law of God everything will be ruled by interest or violence. The Church will collapse into nothing, the State will go down to ruin!

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"The Puritans, restrained in England, shipped themselves off for America, and laid there the foundation of a government which possessed all the liberty, both civil and religious, of which they found themselves bereaved in their native country. . . . The religious zeal of the Puritans inspired a courage which no human motive was able to surmount."—Hume.

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All great civilizations begin with God.

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The Puritans acknowledge one God only, and Him they see in the mind's eye, and Him they adore in contemplation, condemning as impious idolaters all who, with perishable materials, wrought into the human form, attempt to give a representation of the Deity.

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God is Love: I John IV:8.

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God is Life, Love: Love that wills—will that loves.

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The God of the Puritans is the great governing mind, that directs and guides the whole frame of nature, eternal, infinite, and neither capable of change, nor subject to decay.

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God is the reason and the conscience of the universe.

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[fol. 50] God is everywhere actually present in the universe, but His essence is not merged in the process of evolution, nor yet subject to any external necessity, but is rather the Unity of the Manifold,—the Spirit, the All-creating One.

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God is beheld only in the miracles of nature and in the miracle of His Moral Law.

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Everyone that loveth is born of God. And Knoweth God, for God is love.

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We exist in so far as we exist in God, and have eternal life. We have lived in this eternal life, in *proportion as we have lived in God. All else is as nothing.* Christ is God, and we are His children only when the Spirit of Love, which is Christ, is in us.

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God is operative in the universe as the eternally creative Spirit, willing the Good.

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The God of Abraham, of Moses, and of the Prophets, and of Jesus is the conscious eternal Godhead living and working in the world and in man; but in man alone consciously, by means of his conscience.

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The Puritans take the Sermon on the Mount at its word, revere the Commandments, love the Beatitudes, worship the eternal law and apply it strictly to every private vice and every social evil.

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The Cathedrals of the Puritans are in the sky; his altars are enshrined in the hearts of men.

The working man in his field, shop, or office, the woman in her kitchen, or wherever she might be, each doing his [fol. 51] or her duty, is as near to God as the priest or preacher adorned in his gold, purple, lace and linen, with his candles, incense and wafers; and each is blest here and now, in proportion to his or-her sincere use of the eternal power with which God has equipped each. God never sent a defenseless spirit here.

Out of this idea of man's duty to God and God's duty to man, the Puritan Church—the Church of America, has grown on American soil, since the year 1645.

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The intellectual value of a creed is, that while it embodies truth it also represents the free thought of the believer who has come to that conclusion, either by himself alone, or as he has been voluntarily helped thitherward by some person who knows better than he. In that case his creed is the monument of the man's progress, and is the basis for future progress. It is to him, in that stage of his growth, the right rule of intellectual conduct.

But when the creed is forced on the man, and he pretends to believe and believes not, or only tacitly assents, not having thought enough to deny it,—then it debases and enslaves the man.

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The Creed of the Puritan is:

1. An Ever Present God Who Is Absolutely Good:

2. A Moral Law Written In The Consciousness Of Man:

3. The Immortality Of The Spirit:

4. The Reality Of Spiritual Prayer:

5. Healing: There Is In God A Remedy For Each Disease, A Balm For Every Wound, A Cure For Every Poverty:

6. Love Man: Love God: Ask And Receive:

[fol. 52] 7. All Men Are Brothers, Put Here By The Same God For The Same End. Their Duty Is To Keep The Law Of God, Written Eternally On The Heart: To Keep This Without Fear:

8. The Strong Ought To Bear The Burdens Of The Weak:

9. "Thou Shalt Not Steal, Nor Lie. Thou Shalt Do No Wrong!"

10. No Master But God: No Creed But The Truth:

Letter to the Hon. Harold G. Ward, Chief Justice of the Criminal Court of Cook County, by the Puritan Church, in which he is informed that the Puritan Church joins with the Chicago Sun and the Hon. Robert E. Crowe Judge of the Superior Court of Cook County, in their demands for a special grand jury to investigate the frauds in the taxing machinery of Cook County, including its State's Attorneys office; that the evidence in the possession of the Puritan Church, would justify criminal indictments for a criminal conspiracy against the following men:

Robert R. McCormick:

Weymouth Kirkland and Howard Ellis, his lawyers:

John S. Clark, Cook County Assessor:

James McDermott and John S. Toman, members of the Board of Appeals:

William J. Tuohy, State's Attorney of Cook County:

Jacob Shamberg, assistant State's Attorney:

Thomas J. Courtney, Harry M. Fisher, and Joseph Burke, Judges of the Circuit Court:

A letter to the Chicago Bar Association by the Puritan Church in which they are informed, that the U. S. Supreme

Court upheld the validity of the capital stock tax law of [fol. 53] Illinois: that by a violation of that law, the stockholders of the Chicago Tribune, had become the beneficiaries of a sum of money which with penalty and interest added now amounts to the approximate sum of 100 million dollars: that Robert R. McCormick was the president of the Tribune Company during the period when the greater part of the fraud was perpetuated upon Cook County: that said Robert R. McCormick is a lawyer: that the evidence which is in the possession of the Puritan Church demands his disbarment as a lawyer, and his expulsion as a member of the Chicago Bar Association: that the Puritan Church had in its possession evidence that the following men were either influenced intimidated or bribed by the Chicago Tribune, to omit the taxable items of personal property of said Tribune Company, from the tax rolls of Cook County:

Francis Wilson, lawyer and justice of the Supreme Court of Illinois,

Elwyn R. Shaw, lawyer and a U. S. Federal Judge:

Harry M. Fisher, lawyer and judge of the Circuit Court of Cook County,

Joseph Burke, lawyer and judge of the Circuit Court of Cook County,

William J. Tuohy, lawyer and State's Attorney of Cook County,

Jacob Shamberg, lawyer and assistant State's Attorney of Cook County,

James J. McDermott, lawyer and member of Board of Appeals of Cook County,

That Communism is growing in the U. S. A. at an alarming rate: their appeal for support, is that under the existing form of government, the strong mulct the weak: that the Puritan Church demands action against the above named gentlemen, as a warning to others, that lawyers no matter [fol. 54] how rich, or powerful they may be, cannot "finger their noses" at the U. S. Supreme Court, except at their peril of their licenses to practice law, and the loss of their membership in the Chicago Bar Association: that the records in the Cook County Assessor's office shows that all honestly managed Cook County Corporations have paid the capital stock tax since 1872: that the defense of the Tribune Company to the ugly charges made in this letter, is that dishonest Corporations evaded that tax: therefore it would

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not pay that tax: that the Puritan Church has not much confidence in that defense, while it has in its possession, the certified balance sheets of the Tribune Company showing taxable items, and the books of the County Assessor showing their omission from the tax rolls of Cook County, and no provision in the law for outlawing the tax on an omitted taxable item: its other defense is that Harrison Parker is a black-mailer: that should be a matter for a grand jury, not a defense to a claim, that the Tribune Company owes Cook County, 100 million dollars.

A letter to the Chicago Bar Association by the Puritan Church, in which it is informed that the following judges were either influenced, intimidated or bribed by the Kirkland law firm, counsel of the Chicago Tribune, to write orders, or opinions which violated Article IX, Section I of the Constitution of Illinois, the Revenue Act passed by her legislature, and a mandate of the U. S. Supreme Court expressed in unequivocal language in the Illinois Supreme Court Reports, Vol. 367, Page 570, Line 1:

Harry M. Fisher, judge of the Circuit Court of Cook County, in case 38-C-3209:

Joseph Burke, judge of the Circuit Court of Cook County, in case 38-C-3209,

[fol. 55] Supreme Court of Illinois Justices, Francis Wilson, Walter T. Gunn, and Clyde E. Stone, in Circuit Court case 38-C-3209 on appeal to the Supreme Court in case numbered 24881, reported in Illinois Supreme Reports, Vol. 370, Page 243.

That by the violation of the Constitution of Illinois, the law passed by her legislature, and the clear mandates of the Supreme Court of Illinois in the orders and opinions of the faithless judges above named, the defenseless Cook County was defrauded of the approximate sum of 100 million dollars; the multi-millionaire stockholders of the Tribune Company were enriched in cash, by that approximate amount, while the little home owners of Cook County, were correspondingly defrauded; that this evidence has been on the public records since May 15, 1935; no judge has seen fit to use it, upon his own initiative to recover for the County the stolen money, as he is paid to do; no judge has called a grand jury to investigate the serious charge; on the other hand, the officers and Ministers of this Church, have been jailed

by the same judges; murder has been attempted upon them for revealing the evidence; Dr. Agness Richardson, the Minister of the Mother and Father Church of the Puritans, was illegally grabbed by the lawyers of the Kirkland law firm, and thrown into jail; there, she was "mugged" finger printed and otherwise manhandled. If a Catholic Nun were subjected by a Puritan Judge, to the same outrages to which Dr. Richardson was subjected, there would be a hue and cry; the Puritans intend to raise the same hue and cry in the defense of a woman whom the court records show to be innocent of any crime, except defending her constitutional rights from their invasion by the Tribune law firm; that the [fol. 56] prima facie evidence in the possession of this Church, shows that both the criminal and civil law has been violated by the Tribune and its law firm and the above named judges, in a vain effort to hide the crime and retain in the possession of the Tribune stockholders, the huge sum of money which was stolen from Cook County, with the connivance of the above named judges, in the above cited cases; that the Puritans is a religious sect which respects law and order in government; the Puritans know from experience, the ultimate result of corruption in the courts; therefore, they are insisting and will insist, that the evidence which they have collected be subjected to scrutiny by a responsible body; if a crime has been committed by the judges named, the Puritans demand their impeachment on the evidence against them now in the court records above their signatures; the Puritans have appealed to the Cook County State's Attorney; to the Cook County grand jury, to the Attorney General of Illinois; their letters were ignored: now the Puritans are appealing to the Chicago Bar Association; the officers of the Puritan Church are willing to submit under oath, under the penalty of perjury, to a grand jury, the evidence of crime which is in their possession; the Puritans have children; they own their own homes in Cook County, free and clear; they always have, and always will refuse to dwell without a fight, under corruption in the Courts which can be proven by documentary evidence, including the signatures of the offending judges, in their own handwriting.

A letter to the Commonwealth Edison Company, by the Puritan Church, in which it was stated that the Puritan Church had addressed in a legal manner, an orderly letter to the foreman of the Cook County grand jury; that the

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[fol. 57] grand jury is the bulwark of our liberties; if a foreman of a grand jury refuse for political reason, to heed an orderly appeal to it, from citizens who have a constitutional right to appeal to it, Constitutional government is down and we are living in a jungle where "the longest pole gets the persimmon."

Letter to the City Club, by the Puritan Church in which it is stated that Constitutions are sacred documents which are destroyed by their gradual invasion; that by a violation of the Constitution of Illinois, the stockholders of the Tribune Company, were enormously enriched and the little defenseless home owners of Cook County, were correspondingly despoiled; that the direct sires of the present members of the Puritan Church, set up constitutional government at Lexington, Concord, and Valley Forge, with guns; the children of those worthy sires, organized into this Puritan Church, intend to preserve constitutional government on American Soil, even if it be necessary for each and every one of them to die in its defense; the defense in the Courts of the Tribune to the ugly charge that its taxable personal property had been omitted from the tax rolls, is that others stole taxes from defenseless Cook County, so it too, helped itself; the corrupted Courts of Illinois have accepted that plea: it will not stand in the U. S. Supreme Court where this matter may have to be determined again.

Letter to Kirkland, Fleming, Green, Martin and Ellis, by the Puritan Church, in which it was stated, that, when this Church in May, 1935, started to clean up the corruption and the scoundrelism which was introduced into local government by the Chicago Tribune, its Robert R. McCormick and their Kelly-Nash "machine," the Tribune Company paid [fol. 58] an illegally computed personal property tax of $45,000; in the 1945 tax, by the prodding of this Church in and out of the corrupted courts from Eugene McGarry's Municipal up to and including Francis Wilson's crooked Supreme Court of Illinois, the Chicago Tribune will have to pay $410,000.00; still its personal property tax, is illegally and corruptly computed; in increasing Cook County's personal property tax revenue from one notorious tax thief to $410,000.00 from $45,000, the representative of this Church had to endure an attempted assault upon him from Weymouth Kirkland, three "stretches" in the Cook County Jail, inflicted upon him by the Chicago Tribune's crooked judges, and an attempted assault upon him by James J. McDermott,

member of the Board of Appeals; and an ordained Minister of the Puritan Church, a woman, was grabbed by the thugs employed by your crooked, corrupt and rotten Tribune law firm, and illegally confined in the Cook County Jail; the shock of the outrage*d* committed upon the woman by the legalized thugs employed by the Tribune law firm, aided by the Chicago Tribune's crooked judges, caused the instantaneous death of the woman's husband; the shock of the cruel and inhuman treatment which she had to experience in the jail, put the woman in a hospital; yesterday this Church again proceeded legally before the Board of Tax Appeals, to do its duty, to the robbed little home owners of Cook County; the Clerk of the Board of Appeals notified the representative of this Church, that the hoodlum McDermott, the Chicago Tribune's crooked member of the Board of Appeals, would not allow the representative of this Church to proceed according to legal process, to stop the corruption rampant in the Kelly-Nash taxing machinery of Cook County; that at [fol. 59] the last appearance of the representative of this Church before the Board of Appeals, this hoodlum McDermott attempted to "beat him up."

Letter to William J. Tuohy, the State's Attorney of Cook County, by the Puritan Church, in which it is stated, that the Puritan Church has available for his, or use by a grand jury, prima facie evidence that the Chicago Tribune had stolen from Cook County, the approximate sum of 100 million dollars: that it had evidence that Jacob Shamberg, the Assistant State's Attorney in charge of tax collections, had aided and abetted the Chicago Tribune in its gigantic tax steal from defenseless Cook County: that Dan Ryan was the sponsor for William J. Tuohy, State's Attorney of Cook County.

A letter to William J. Tuohy, State's Attorney of Cook County, from the Puritan Church, in which he is informed that the Puritan Church, by a vote of its trustees, is devoting all its outside efforts to compel restitution to Cook County, of all the money which has been stolen from the County, through the violation of the Constitution of Illinois, and the law passed by her legislature.

A letter to the Foreman of the Cook County Grand Jury, from the Puritan Church, in which the Puritan Church informs him that it has available to him evidence of a criminal conspiracy in Cook County, to omit taxable items of personal property, from the tax rolls of Cook County.

Letter to Thomas P. Doyle, Foreman of the Cook County Grand Jury, from the Puritan Church, in which he is informed that the Puritan Church has evidence that valuable items of the personal property of the Tribune Company, were omitted from the tax rolls of Cook County.

[fol. 60] Letter to the foreman of the Cook County Grand Jury from the Puritan Church, in which he is informed, that there should be an investigation of the crookedness and corruption which exists in the taxing machinery of Cook County; that one tax thief has stolen 100 million dollars.

Letter to the Foreman of the Cook County Grand Jury from the Puritan Church, in which he is informed, that Cook County has been robbed through a criminal conspiracy by which vast sums of taxable personal property had been omitted from the tax rolls of Cook County.

A letter to Ray Findley, Foreman of the Cook County Grand Jury, from the Puritan Church, in which he is informed that the little homes of Cook County face tax confiscation; that the reason is, that William J. Tuohy, the Kelly-Nash State's Attorney of Cook County is crooked: that corruption is rampant in the tax department of his office: that the Kelly-Nash County Assessor John S. Clark is crooked; corruption is rampant in his office: the Kelly-Nash Board of Tax Appeals is crooked: corruption is rampant in that office: Here is the proof: then follows the evidence of corruption in the taxing machinery of Cook County.

Letter to Edward J. Fuffy, Foreman of the Cook County Grand Jury, from the Puritan Church, in which he is informed, that the Puritan Church has evidence of a criminal conspiracy in Cook County to rob said County, which it will turn over to him, if he requested it.

Duplicate of letter on Page 83.

Letter to the Foreman of the Cook County Grand Jury, from the Puritan Church, in which he is informed, that the Puritan Church has evidence upon which criminal indict-
[fol. 61] ments could be returned against certain named individuals, including William J. Tuohy, the State's Attorney of Cook County.

Certification by Thomas J. Bowler, Clerk of the Criminal Court of Cook County.

OVERRULING OF MOTION FOR CHANGE OF VENUE

The Court overrules the motion of Harrison Parker for a change of venue from Cook County; Harrison Parker files his written answer to Petition for Rule to Show Cause, which is in words and figures following:

ANSWER TO RULE TO SHOW CAUSE

Harrison Parker, being first duly sworn, deposes and says:

The Foreman of the May, 1946 Cook County Grand Jury was the recipient of the letter written on the official stationery of the Puritan Church, a religious corporation organized under the Corporation Act of the State of Illinois, and registered in the Cook County Courthouse, in Book 1581, Page 77, as Document No. 136,90077, which is set forth haec verba on Page 3 of this Abstract.

Letter which is set forth in haec verba on Page 3 of this Abstract.

The answer to this letter was not a request to view the offered evidence of a crime in Cook County, Illinois, but an Information filed by William J. Tuohy, the State's Attorney of Cook County, in which it is alleged, that the composing, signing and depositing said letter in the U. S. Mails, constituted Contempt of Court by Harrison Parker.

Answering, Harrison Parker states, that the letter was composed by the Ecumenical Council of the Puritan Church, at its Council Meeting held at Montreal, Canada, in August [fol. 62] 1945: that it was signed by him in his official capacity of Chancellor of the Puritan Church: that it was deposited in the U. S. Mails, by some member of the Committee of the Puritan Church, in the discharge of Church duties, and in the exercise of their rights of freedom of speech, and freedom of religion which is guaranteed to each, by the Constitution of the U. S. A., and by the Constitution of Illinois; that the said grand jury had been instructed in open Court by the Chief Justice of the Criminal Court, to get evidence of crime in Cook County, wherever it could be found.

That at the time of the receipt of said letter by the said Foreman of the Cook County Grand Jury, there was not pending before it, any matter in which either the Puritan Church, the Tribune Company or Harrison Parker had either a direct or indirect interest, either as the Chancellor of the Puritan Church, or in his individual capacity.

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That said letter had not been signed by Harrison Parker with any intention of showing a contempt of any court; rather it was signed by him, with the intention of upholding the Constitution of Illinois, and the law passed by her legislature; that said letter was not couched in either vicious, or inflammatory language; that said letter had no tendency to either impede, embarrass or obstruct the grand jury in the discharge of its duties; rather the said letter was an orderly communication to a law enforcement body, from a Church which had evidence, that a crime had been committed, and offered it to the grand jury if it requested it.

That said letter had not been composed by the said Council of the Puritan Church, with any intention of showing any contempt of the court, or for its grand jury.

[fol. 63] That Harrison Parker as the Chancellor of the Puritan Church, had been called before the said Ecumenical Council of the Puritan Church; there, he had been informed that a complaint had been made, that a Section of the Creed of the Puritan Church, to-wit: "the strong must protect the weak" was being violated; the complaint was by members of the Puritan Church who owned their own homes free and clear in Cook County: that the taxes on their homes had been doubled since 1924: that the reason for the increase in taxes on the small homes in Cook County, was due to the fact that some politically powerful corporations led by the Tribune Company, had either influenced, intimidated or bribed the taxing officials to feloniously omit the taxable personal property of said Corporation from the tax rolls of Cook County. (See Exhibit A.)

That the Illinois legislature had passed a law that all taxable personal property like machinery and capital stock of Illinois Corporations, should each year, pay a personal property tax on all such taxable items; that this law was upheld by the U. S. Supreme Court; that notwithstanding the orders of the Courts, the Tribune Company and the Corporations which it controls, have refused to pay their proportion of the tax burden of Cook County, by either influencing, intimidating or bribing the taxing officials, to omit their taxable personal property, from the tax rolls of Cook County; that by such a fraud the multimillionaire stockholders of the Tribune Company, have been enriched by a sum of money which with principal, penalty and interest, now amount to 100 million dollars, and the defenseless little home owners of Cook County were correspondingly

despoiled; that Article 2, Section 10 of the Illinois Con-
[fol. 64] stitution provided a remedy for lawlessness.

That the Church Discipline Committee of the said Ecumenical Council of said Puritan Church, instructed Harrison Parker to return to Chicago, and there, obtain justice for the defenseless little home owners of Cook County, by compelling the Chicago Tribune to disgorge every cent of tax money which it owed to Cook County; that following the definite instructions from his superiors, William J. Tuohy, the State's Attorney of Cook County was notified by Harrison Parker as the Chancellor of the Puritan Church, of the law violations by the Tribune Company; he did nothing and permitted the Chicago Tribune to continue its open thefts of large sums of money.

From defenseless Cook County; the Puritan Church notified Governor Green and every Judge in Cook County whom it considered competent to handle the ugly situation that had arisen in Cook County, of the Constitution and law violations by the Chicago Tribune; none answered; then the Puritan Church sent to the May 1946 Cook County Grand Jury, the letter composed by its Ecumenical Council which is set out in haec verba on Page 3 of this Abstract.

That to punish Harrison Parker for Contempt of Court, would be in derogation of his rights as an American citizen, as they are set forth in the Amendments to the Constitution of the U. S. A. numbered 1, 5, 6, 8, and 14, and in Article 2, Sections 2, 3, 4, 7, 8, 9, 10, 11, 17, 19 and 20, in the Constitution of Illinois.

Harrison Parker. (Notarial Seal.)

[fol. 65] Letter to Hon. William J. Lindsay, Judge of the Criminal Court of Cook County, in which said Judge Lindsay is informed that under the corruption which William J. Tuohy has introduced into government, murder has increased 20%, rape 57% and taxes doubled on Cook County homes: these are the figures of the Chicago Crime Commission.

State's Attorney moves to file his written interrogatories before August 19, A. D. 1946; that Harrison Parker answer the interrogatories before August 22, 1946; the cause was continued until August 22, 1946.

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INTERROGATORIES FILED BY STATE'S ATTORNEY—Filed August 19, 1946

1) Did you compose the original letter as set forth in the Information on direction of the Ecumenical Council of the Puritan Church?

2) Did you sign this letter as an officer of the Puritan Church?

3) Did you have knowledge that it was the intention of the Puritan Church to mail this letter to the Foreman of the Grand Jury?

William J. Tuohy, State's Attorney of Cook County.

Notice of the filing of the Amended Answer by Harrison Parker.

The Amended Answer to Petition for Rule to Show Cause. Same as page 88 of this Abstract:

Same as Page 89 of this Abstract.
Same as Page 90 of this Abstract.
Same as Page 91 of this Abstract.
Same as Page 92 of this Abstract.
[fol. 66] Same as Page 93 of this Abstract.
Same as Page 94 of this Abstract.
Same as Page 95 of this Abstract.

AMENDED ANSWER

Further answering Harrison Parker says that the Information is in derogation of the rights of Harrison Parker as an American citizen as these rights are set forth under the Amendments to the Constitution of the U. S. A., numbered 1, 5, 6, 8, 14 and as they are set forth in the Constitution of Illinois, under Article 2, Sections 2, 3, 4, 7, 8, 9, 10, 11, 17, 19; 20; the Information is not in accordance with the statutes on Information; it does not state a contempt of court, or a violation of any law of Illinois. The proceedings are void, because the trial judge, Hon. Harold G. Ward, invaded and denied the rights of Harrison Parker as they are guaranteed to him by the following section of the Constitution of Illinois.

"In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel."

(Article 2, Section 9, Constitution of Illinois.)

by choosing counsel for Harrison Parker despite his protest into the stenographer's court record, and by Judge Ward insisting that the counsel of his choosing remain as the counsel for Harrison Parker after the lawyer of Judge Ward's choosing had informed Harrison Parker and the trial judge, Hon. Harold G. Ward, in the presence of the court stenographer, that the said lawyer's charge to Harrison Parker for his fee, would be Five Thousand ($5,000) Dollars. The continued presence in the contempt of court proceedings, of the counsel of the trial judge's choosing, prevented Harrison Parker from procuring a counsel of his own choosing; that for lack of proper counsel, Harrison Parker was not able to obtain the fair trial to which he is entitled.

[fol. 67] Letter to Hon. William J. Lindsay from the Puritan Church, in which he is informed that for the year 1923, the certified balance sheets of the Tribune Company showed that it had Sixteen Million, One Hundred Fifty-eight Thousand, Seven Hundred Ninety-five Dollars and Eighty-One Cents ($16,158,795.81) in taxable personal property, while the certified books of the County Assessor, showed that, for the year 1923, the said Tribune Company had a total assessed value of five hundred and fifty thousand, five hundred Dollars ($550,500): the evidence of this crime was submitted to the Kelly-Nash State's Attorney William J. Tuohy. Instead of doing his duty, he is trying to suppress this ugly evidence of his own malfeasance in public office, by trying to jail the men and women Ministers of the Puritan Church.

Notice that Harrison Parker filed his Answer to Interrogatories.

ANSWER TO INTERROGATORIES

Harrison Parker answers the interrogatories propounded by William J. Tuohy, the State's Attorney of Cook County, in an effort by said William J. Tuohy to jail Harrison Parker, for signing as the Chancellor of the Puritan Church—the Church of America, an official letter of the Puritan Church, issued in the exercise of its Constitutional right of freedom of speech and freedom of religion guaranteed both to the Puritan Church and to Harrison Parker by the Constitution of Illinois, and the Constitution of the U. S. A.

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The original letter was composed by the Ecumenical Council of the Puritan Church at its Council Meeting held [fol. 68] in Canada in August, 1945, from facts taken from:

Lloyd vs. Lloyd, 341 Ill. 461;

Harrison Parker, ex rel. *vs.* Board of Appeals, 370 Ill. 243,

which had been presented to it by Cook County taxpayers, members of the Puritan Church, whose grandchildren are being denied music lessons and other means of spiritual development, by the illegal confiscatory taxes on little homes now prevailing in Cook County.

Chicago pays the second highest tax rate in the nation; this is the highest tax rate in the U. S. A. except in the City of Boston.

The facts in the two above reported Supreme Court cases showed to the Puritan Church Council, that by a felonious violation of the Constitution of Illinois, a violation of the law passed by her legislature, and a violation of a mandate of the U. S. Supreme Court, the Tribune Company, the owners of the Chicago Tribune, had stolen from defenseless Cook County, a sum of money which now amounts to the appr-ximate sum of 100 million dollars. The taxes on the little homes had to be increased by the faithless Cook County taxing officials, in proportion to the amount of money stolen from Cook County, by the Chicago Tribune.

In the absence of the protection of the law, the Ecumenical Council granted the distressed taxpayers, the members of the Puritan Church, the sanctuary which they sought in their Church; then and there it promised them, that the entire resources of the Puritan Church, would be used to arouse all other Cook County taxpayers, to their peril, from the violations of Constitutions by a rich and politically powerful Corporation, which are "winked at," by the [fol. 69] State's Attorney of Cook County, and by the Supreme Court of Illinois. Harrison Parker then present at the Meeting, in his capacity of Chancellor of the Puritan Church, took notes in all matters in which the Ecumenical Council gave direction to him, including the letter set forth on Page 3, of this Abstract, and he took notes of the Council's order to sign the said letter as the Chancellor of the Church.

The letter set forth in haec verba, on Page 3 of this Abstract, was written on the official stationery of the Puritan Church, in the regular course of its ecclesiastical duties, and was issued by it, in pursuance of its right of freedom of speech, and freedom of religion guaranteed to it, both by the Constitution of Illinois, and the Constitution of the U. S. A.: it issued from the Church in an effort by it to prevent the continuance of a fraud in the administration of the government which shelters and protects the Puritan Church; on its face, the letter shows, that it was signed by Harrison Parker in his capacity of Chancellor of the Puritan Church, in pursuance of his church duties.

Harrison Parker on August, 1946, does not recall any conversations, or discussions with other officials, committees, or communicants of the Puritan Church, which may or may not have attended the signing and the delivery of the said letter to the various persons; he does not recall incidents in the signing of the official letters of the Puritan Church which he may have signed in the orderly course of Church business, either in the month of April, May or June, 1946, or previous thereto, which includes the letter set forth in the Information.

Copy of the certified balance sheet of the Tribune Com-[fol. 70] pany, showing, that for the year 1923, it had taxable items of personal property, which were omitted from a certified copy of the books of the Cook County Assessor, for the same year.

By this cunning method, the decent law-abiding taxpayers of Cook County, were robbed by the Chicago Tribune, of the approximate sum of 40 million dollars, while the multimillionaire stockholders of the Chicago Tribune, including its Robert R. McCormick, were correspondingly enriched.

This evidence of a crime in Cook County, was submitted to the Kelly-Nash State's Attorney, William J. Tuohy. Instead of doing his duty, he is trying to suppress this ugly evidence of his own malfeasance in public office, by trying to jail the men and women Ministers of the Puritan Church.

Judgment

The judgment order of the Court is, that Harrison Parker is guilty of contempt of Court and he is hereby ordered to be committed to the Cook County Jail for a term of six

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months (6) which judgment order is in the words and figures following:

> Pursuant to a rule heretofore requiring Harrison Parker, to show cause, why he should not be held guilty of contempt of court, for composing, signing and depositing in the U. S. Mails addressed to the Foreman of the Cook County Grand Jury, the letter set forth on Page 3 of this Abstract, and said Harrison Parker being present in Court, and represented by counsel, and the Court having examined the Information, the Answers of said Harrison Parker thereto, the Interrogatories filed and directed to him and Harrison Parker's written Answers thereto, under oath, and the Court hav-[fol. 71] ing heard the arguments of counsel and being now fully advised in the premises, doth find:
>
> Harrison Parker guilty of contempt of court because of the facts set forth in the Information and admitted by Harrison Parker in his answers, is guilty of acts and conduct directly calculated to impede, embarrass and obstruct this Court in the due administration of justice; because of said acts and conduct on the part of said Harrison Parker, he is guilty of contempt of court.
>
> Therefore, it is the judgment and order of this Court, that said Harrison Parker is guilty of contempt of court and because of said contempt, he is committed to the County Jail of Cook County, for the term of six months, and after the delivery of the body of said Harrison Parker, to the Jailer of Cook County, the body of said Harrison Parker, be taken from the Bar of the Court, to the common jail of Cook County and the Sheriff of Cook County, is hereby commanded to take the body of said Harrison Parker and confine said body in the County Jail of Cook County, for the term of six months, from and after the delivery of the body of said Harrison Parker in the safe and secure custody during said term; thereafter, to be discharged by due process of law.

All because said Harrison Parker signed an official letter from the Puritan Church, to the Foreman of the May 1946 Cook County Grand Jury, offering it evidence of a crime in Cook County, as it is more fully set forth in the Informa-

tion filed by William J. Tuohy, the State's Attorney of Cook County, against said Harrison Parker.

Order of the Court, that the writ of attachment be and [fol. 72] the same is stayed to, and including September 22, 1946, and the time for filing the bill of exceptions was allowed to the same date. Bail was fixed at $1000.

Bill of exceptions presented to Court; it allows until Oct. 22, in which to prepare and file the Bill of Exceptions in this cause.

Order of Court for Harrison Parker to withdraw the original Bill of Exceptions from the files of the office of the Criminal Court of Cook County.

Order of the Court for Harrison Parker to withdraw the original Bill of Exceptions from the Clerk of the Criminal Court.

Stipulation between the State's Attorney of Cook County and Harrison Parker, that the original Bill of Exceptions filed in this cause may be used in lieu of a copy thereof.

Bill of Exceptions.

Leave of Court asked by the State's Attorney of Cook County, to file the Information against Harrison Parker: continued to June 10, 1946.

Hearing upon the Information adjourned to July 3, 1946.

Harrison Parker who is present in Court has been served, to show cause why he should not be held in contempt of court for matters set forth in the Information. Court orders said Harrison Parker to plead, answer or demur by July 15, 1946.

[fol. 73] Harrison Parker states that he is the Chancellor of the Church which has evidence of a crime in the State's Attorney-s office and would like to know where to present it:

COLLOQUY BETWEEN COURT AND COUNSEL

Mr. Rembe, the assistant State's Attorney:

Mr. Parker is before the Court on a citation: he can answer to that and nothing else.

Court: That is all.

The cause was continued to July 15, 1946.

Mr. Rembe: Harrison Parker is asking for a change of venue: he is not entitled to it.

Harrison Parker: There is the petition, your Honor: it is drawn according to the statute: I am having a little difficulty in getting a Chicago lawyer.

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The Court: The petition for a change of venue is overruled.

Mr. Parker: I take an exception.

The Court: What about the plea: you have had time for a lawyer.

Harrison Parker: No, I haven't had time: I have been ill.

Mr. Rembe: He says he wants no lawyer in this case: the Public Defender is here.

Mr. Parker: I don't want the Public Defender: this is important litigation. I am negotiating with an out-of-town lawyer: I am awaiting his answer, now: I would like to have this case put over two weeks: I was served on July 1, 1946.

This is now July 15th: I haven't had time to get a lawyer.

Court: It is not going to be continued forever, but it is a serious matter: continue it, until next Friday.

Harrison Parker: That is not enough: I am negotiating with an out-of-town lawyer: I cannot get any Chicago law-[fol. 74] yer to take the reprisals the State's Attorney would make against him: I should have two weeks.

The Court: We will continue it until July 22nd, to file a plea, answer or demurrer: continue until July 22, 1946.

Mr. Parker: Here is a motion to quash.

Mr. Rembe: Our Information in this case is identical to that in the Harrison Parker case in the 373d.

Mr. Parker: It is not: it is not analogous; the facts are not the same and the law is not the same.

Court: Do you want to argue it?

Harrison Parker: I want to have a lawyer here and argue it.

The Court: All right. The motion to quash is overruled.

Mr. Parker: I would like to argue it.

The Court: Go ahead and argue it.

Mr. Parker: No, I have to have a lawyer argue it.

The Court: Go ahead and argue it. What about a lawyer, you were supposed to have a lawyer.

Mr. Parker: I have, your Honor: I can bring a doctor's certificate, that my eyes should be taken care of: I have a letter from a lawyer dated the 17th, that he will give an answer on the 27th: he is out-of-town.

The Court: You want a lawyer.

Mr. Parker: I do want a lawyer: this is an important matter.

The Court: All right. The Court will appoint Mr. Charles A. Bellows.

Mr. Parker: I do not want Mr. Bellows. I protest against Mr. Bellows.

Mr. Rembe: You will have to accept the Court's appointment.

[fol. 75] Mr. Parker: No, I don't have to.

The Court: You say you don't want the Public Defender?

Mr. Parker: I won't have the Public Defender: there is no use trying to rush me: this is going to the U. S. Supreme Court: I am entitled to the same rights as any other citizen: I am fighting for the public rights.

The Court: The last time you were in here you said you would get a lawyer.

Mr. Parker: I have a letter from him: he will give me an answer on the 27th.

The Court: We will appoint Mr. Bellows.

Mr. Parker: I don't want him: I protest against him.

Mr. Rembe: You will have to accept the appointment of Mr. Bellows.

The Court: We will continue it, till July 29th, for pleading, answering, or demurring.

Mr. Parker: I do not want Mr. Bellows.

The Court: Tell Mr. Bellows he has been appointed.

Mr. Parker: I am a citizen of the United States: my constitutional rights are being violated here: I won't permit it: I do not fear this State's Attorney: we have evidence of the corruption of the State's Attorney.

The Court: It is all settled now.

Mr. Parker: It is not settled: I protest: under the Constitution of Illinois, I am entitled to my own lawyer: I have told you, that he will answer on the 27th.

The Court: Then, in the meantime, Mr. Bellows will represent you.

Mr. Parker: He won't represent me.

[fol. 76] The Court: Notify Mr. Bellows to represent him.

Mr. Parker: No, he won't represent me.

The Court: The 29th. What else?

Mr. Bellows: Counsel is here, but his client isn't. Frankly, I don't think the man is capable of going to trial: I am convinced he is not mentally well. I think he is suffering from some sort of hallucinations. I don't think he is commit-ible, but when he gets on the subject of certain topics, he

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just isn't rational: when I talked to him about it, I was convinced, that he is suffering from hallucinations: the things that he says occurred, I am sure couldn't have occurred: (he is referring to the facts related in the petition for a change of venue from Cook County Page 5-7 of this abstract, which would be unbelievable, were they not made under oath and attested by public records).

Mr. Rembe: The only way to get him in, is through capias.

The Court: Continued to August 5, 1946.

Mr. Bellows: Mr. Parker came to my office.

Mr. Rembe: The capeas is outstanding, but he appeared in Court.

Mr. Parker: I was ill.

The Court: Quash the capias.

Mr. Bellows: I have always been under the impression that Mr. Parker was a man of means. I thought a reasonable fee for the services in this kind of a case, would be five thousand dollars. He says that he hasn't got that kind of money. If your Honor wants, I will stay in and represent him. If he has money, he ought to pay.

The Court: No question about it. I am sure you won't have any trouble working out some kind of an arrangement here, for the defendant to pay you a reasonable fee.

[fol. 77] Mr. Bellows: He tells me this morning his eyes are bad and he can't see: and he can't cooperate with counsel. I would like a little more time to answer.

The Court: The answer has to be on file on the 15th of August. Adjourned to August 15th.

Mr. Parker: I am presenting a motion for a change of venue from Cook County.

Mr. Bellows: Mr. Parker and I do not see eye to eye on this situation. I am willing to stay, if your Honor insists.

The Court: The Court insists, that he be represented by counsel and that is that. What do you say?

Mr. Parker: I do not want Mr. Bellows.

The Court: What about that answer?

Mr. Parker: I have my answer, but I would prefer to have a lawyer look them over, but, if you want them filed today, I will file them (the answer and the petition for a change of venue from Cook County).

The motion for a change of venue from Cook County is overruled.

Mr. Parker: I would like the record to show, that the Judge did not read it.

The Court: Where is the Answer?

Mr. Parker: Here is the answer. I would prefer to have my lawyers look it over, but if you prefer to have it today, you may have it; here are two copies.

Mr. Rembe: I received a copy of the answer and ask leave to file special interrogatories to the answer.

The Court: Special Interrogatories to be filed by Monday, August 19th, and the Answer to be filed on the 22nd. Continued to August 22, 1946.

[fol. 78] Mr. Parker: Here is the Amended Answer. It is amended only on the last page.

Mr. Bellows: All these documents that Mr. Parker is taking up with the Court, is done without my co-operation, without them being shown to me.

The Court: The Answer to the Interrogatories was to be filed this morning.

Mr. Parker: I have them.

The Court: Let those be filed.

Mr. Parker: I have another motion before the Court.

Mr. Parker: Here is the Answer to the Interrogatories.

Mr. Rembe: The Answer of Mr. Parker is general. He has refused either to admit, or deny: I suggest that the Court should at this time, enter judgment against Mr. Parker.

Mr. Parker: I have not refused to do anything. I have followed the Information and have followed the Interrogatories.

The Court: What is this?

Mr. Parker: It is the Amended Answer.

The Court: Is there any objection to it?

Mr. Rembe: No.

Mr. Parker: I have a motion.. A demand for a jury trial. Now I am prepared to show the Court, that there is no contempt of court here.

Mr. Rembe: We all know that there is no jury trial.

Mr. Parker: I have merely made the motion. It is a right that I have, as an American citizen.

Mr. Rembe: If Mr. Parker wants to argue for a long time, he may proceed.

The Court: Have you the order drawn?

Mr. Rembe: I have it.

[fol. 79] Mr. Parker: I would like to argue it.

Mr. Rembe: I suggest, that the order be entered without any further delay. Mr. Parker has done everything he could to embarrass the Court.

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Mr. Parker: I would like to answer.

The Court: Do you wish to say anything, Mr. Bellows?

Mr. Bellows: There is nothing I can do in this matter, except stand by.

Mr. Rembe: Mr. Parker would not employ counsel and he wouldn't accept the Public Defender and the Court appointed Mr. Bellows to represent him.

Mr. Parker: I objected, and I don't want any counsel. I want the right to defend myself, as I have the right, under the Constitution. I would like a few minutes to answer this.

Mr. Rembe: I don't think the Court should waste any further time.

The Court: The Court appointed Mr. Bellows, because of the fact that Mr. Parker said, that he could not get a lawyer in Illinois to represent him.

Mr. Parker: I didn't ask for any counsel, your Honor.

The Court: As a matter of fact, you did have some conference with your client, didn't you, Mr. Bellows?

Mr. Bellows: I had one conference.

Mr. Parker: One conference; at it, I told him, I didn't want him and he agreed that he wouldn't serve.

The Court: Harrison Parker is guilty of contempt of court, and it is ordered, that because of said contempt he be committed to the County Jail of Cook County Illinois for the term of ....., have you any recommendation?

[fol. 80] Mr. Rembe: I suggest six months.

The Court: For the term of six months.

Mr. Parker: I would like to argue that with your Honor. I have not admitted anything. I want the record to show, that I have not been allowed to defend myself on this charge.

The Court: What about the bail?

Mr. Parker: We have agreed to $1,000.

The Court: A thousand dollars is not enough.

Mr. Parker: We agreed to that.

The Court: The Court is willing to consider a thousand dollars, if there is any assurance on the part of the respondent here, that he is going to cease his actions in trying to embarrass this Court.

Mr. Parker: If I do anything your Honor can sentence me again, but I should not be stopped by a threat.

The Court: If you write any more letters to this Court in reference to any pending matters, there will be another Information filed herein.

Mr. Rembe: As far as appeal is concerned, he suggested a licensed bondsman.

Mr. Parker: He has agreed to a thousand dollars and suggested to me, that I have the bondsman in the Courtroom for it now.

The Court: It fixes the bond at $1,000.

Mr. Rembe: Except it might be a good idea to set it at $5,000, if he is going to have a licensed bondsman.

[fols. 81-82] Mr. Parker: He has agreed.

The Court: Bail fixed at $1,000.

Mr. Parker: I want the record to show, that all of my constitutional rights have been violated in this Courtroom, and that I have not had the privilege of defending myself.

(Which were all the proceedings had and the findings and judgment of the Court in the above entitled cause).

Signature of the official shorthand reporter, Criminal Court of Cook County.

Signature of the trial judge and the signed approval of the State's Attorney of Cook County.

Certification by the Clerk of the Criminal Court.

[fols. 83-84] In Supreme Court of Illinois

No. 29894

People State of Illinois, Defendant in Error,

vs.

Harrison Parker, Plaintiff in Error

Error, Criminal Court, Cook County

Argument and Submission

Now on this day come the parties hereto and this being one of the days set apart for the call of the docket under the rules of this Court, and it appearing to the Court that plaintiff in error hath filed herein a duly certified transcript of the record and proceedings of the Court below, together with printed abstracts thereof, and briefs and arguments of counsel in support of the errors assigned herein, and entered motion to reverse the judgment and remand said

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cause and for costs, and the said defendant in error having entered motion to affirm said judgment and for costs and procedendo, and said motions being taken under advisement for final hearing, and the Clerk of this Court reporting that said cause is now ready to be taken, and said cause is here submitted for the consideration and judgment of the Court:

Therefore it is ordered by the Court that this cause be and the same is hereby taken under advisement.

[fol. 85] IN SUPREME COURT OF ILLINOIS

Docket No. 29894

Agenda 13—January, 1947

THE PEOPLE OF THE STATE OF ILLINOIS, Defendant in Error,

v.

HARRISON PARKER, Plaintiff in Error

OPINION—Filed May 22, 1947

PER CURIAM:

The defendant, Harrison Parker, was adjudged guilty of criminal contempt in the criminal court of Cook county. He was sentenced to imprisonment in the county jail for six months. This writ of error is brought on the ground, among others, that the judgment infringes defendant's constitutional rights of freedom of speech and freedom of religion.

The information charged Parker with composing, signing and mailing a letter to the foreman of the Cook county grand jury, which had just been convened. The letter was set out *haec verba* in the information. Motions for change of venue and to quash the information were overruled. In his amended answer Parker admitted the signing of the letter, but asserts that he signed it only in his capacity as an officer of the Puritan Church. He denied that the letter was contemptuous and insisted that it was composed by the Puritan Church and deposited in the mails in the furtherance of church duties, and in the exercise of the

constitutional rights of freedom of speech and freedom of religion. Any intention of showing contempt of court is disavowed, and it is pointed out that the letter contained no vicious and inflammatory language.

In substance the letter charged that the Tribune company and a certain political machine had connived together to steal one hundred million dollars from Cook county, in the form of unpaid taxes and penalties. It further charged that stockholders in the company had received huge sums of money in the form of dividends, on which no taxes had been assessed or paid. The letter concluded with an offer to appear before the grand jury and produce evidence in support of the accusations.

The defendant has been previously convicted of contempt of court for addressing voluntary communications to the grand jury of Cook county. That conviction was sustained by this court. (*People* v. *Parker*, 374 Ill. 524.) The subject matter of the letter in this case is strikingly similar to the subject matter of the letters addressed to the grand jury and considered in the former case. Accusations of stealing one hundred million dollars by tax evasion are directed toward the same publishing company, its stockholders, and certain public officials. The principal difference is that the letter in this case is not couched in [fol. 86] the same vicious and inflammatory language that characterized the previous communications to the grand jury. By tempering the tone of his accusations, Parker seeks to escape the rule which forbids communicating with the grand jury, except through recognized lawful channels. This he cannot do. In our former decision we quoted with approval the language of Mr. Justice Field and adopted the rule laid down by him. What we said there applies with equal force to this case. The obvious purpose of communicating with the foreman of the grand jury was to incite the grand jury into action against those accused in the letter. The grand jury was invited to call for the production of evidence which the communication stated was in the possession of the Puritan Church. This was an unofficial volunteer communication to the grand jury, inviting them to start, on their own authority, a prosecution against those accused in the communication. The sending of a communication, such as that set out in the information, to the foreman of the grand jury constitutes

contempt of court. (Wharton on Criminal Practice and Pleading, 8th ed., sec. 307.) Since the letter was incorporated in the information and shows on its face that the writer is in contempt of court, the trial court properly overruled the motion to quash the information.

Defendant contends that the court erred in overruling his petitions for change of venue. One petition was for a change of venue from two of the judges of the criminal court, while a second petition was for a change of venue from Cook county. The petition for change of venue on account of prejudice of two of the judges does not come within the provisions of the venue statute in contempt proceedings. (Ill. Rev. Stat. 1945, chap. 146, par. 21a.) The right to change of venue is statutory, and the applicant must bring himself within the statutory requirements. (*People* v. *Doss,* 382 Ill. 307.) No other provision for change of venue in contempt cases appears in the statute. Contempts are *sui generis* the general statute pertaining to change of venue in criminal cases. *People* v. *Doss,* 382 Ill. 307; *People ex rel. Rusch* v. *Kotwas,* 363 Ill. 336.

The petition for change of venue from Cook county is not set out in the abstract. An affidavit attached to the petition covers more than thirty pages of the abstract Whether or not prejudice exists in the minds of inhabi- [fol. 87] tants of a county is a question of fact, to be determined in the sound discretion of the trial judge. (*People* v. *Tuohy,* 361 Ill. 332.) While the affidavit filed in support of the petition contained many wild and scandalous charges against certain individuals and public officials, it utterly failed to include any facts from which it might be reasonably inferred that the inhabitants of the county had been influenced against defendant. The court did not err in overruling the petitions for change of venue.

Defendant's defense is built on the theory that the letter was written, signed and directed to the foreman of the grand jury in the exercise of the constitutional rights of freedom of speech and freedom of religion. These constitutional guaranties were never intended to, and do not, constitute a license to engage in conduct tending to obstruct the administration of justice. (*People* v. *Doss,* 382 Ill. 307.) Defendant cannot avail himself of the constitu-

tion as a shield behind which to hide his contemptuous conduct.

Other contentions of defendant are the same as those raised in his former case. There is no occasion for this court to change the views therein expressed. *People* v. *Parker,* 374 Ill. 524.

The Judgment will be affirmed.

Judgment affirmed.

[fols. 88-89] [Title omitted]

JUDGMENT—May 22, 1947

And now, on this day, this cause having been argued by counsel, and the Court, having diligently examined and inspected as well the record and proceedings aforesaid, as matters and things therein assigned for error, and now, being sufficiently advised of and concerning the premises for that it appears to the Court now here, that neither in the record and proceedings aforesaid, nor in the rendition of the judgment aforesaid, is there anything erroneous, vicious or defective, and in that record there is no error.

Therefore, it is considered by the Court that the judgment of the Criminal Court of Cook County aforesaid, be affirmed in all things and stand in full force and effect, notwithstanding the said matter and things therein assigned for error.

[fol. 90] In the Supreme Court of Illinois, November Term, A. D. 1946

People of the State of Illinois, Defendant-in-Error,

vs.

Harrison Parker, Plaintiff-in-Error

Error to the Criminal Court of Cook County

Honorable Harold G. Ward, Trial Judge

Petition for Rehearing—Filed June 13, 1947

May it Please the Court:

Statement of the Case.

(On which the petition for a rehearing is based.)

After an appeal in vain, to the law enforcement officials, to various Judges, to the Supreme Court of Illinois, and to various civic bodies, to protect the Constitution of Illinois and enforce the law passed by the legislature, and approved by the Supreme Court of Illinois and the Supreme Court of the United States, the members of the [fol. 91] Puritan Church, in the ordinary course of their ecclesiastical duties, on or about May 9, 1946 mailed to the Foreman of the Cook County Grand Jury, a letter in which a tender was made to him, of evidence of a serious violation of the Constitution and the law of Illinois, in the City of Chicago, County of Cook, State of Illinois.

The letter was written on the official stationery of the Puritan Church. It was signed by Harrison Parker, in his official capacity, as Chancellor of that Church. But it was neither composed nor mailed by h-m. In short, the letter was a Petition of the Puritan Church, to its government to redress certain grievances, to-wit: the Constitution and law violations of the Tribune Company.

The answer to that letter was, an Information filed by William J. Tuohy, the State's Attorney of Cook County, for a rule upon Harrison Parker, why she should not be found guilty of Contempt of Court, for "Composing," "Signing" and "Depositing" said letter in the U. S. Mails, addressed to, and delivered by U. S. Mailmen, to Bernard

George Harrington, then acting as the Foreman of the Cook County Grand *Grand* Jury.

Denied the right to defend himself; denied the time to employ a lawyer to defend him, Harrison Parker, so ill that at times he could not see, was hurried through the Criminal Court of Cook County, and sentenced by the Hon. Harold G. Ward, then sitting as the Chief Justice of the Criminal Court of Cook County, to six months in the Cook County Jail, for Contempt of Court, for signing a letter in which the Cook County Grand Jury was tendered the evidence of a crime in Cook County.

The Per Curiam opinion of the Illinois Supreme Court composed of Justice Clyde Stone of Peoria, Illinois; [fol. 92] Justice Loren E. Murphy of Monmouth, Illinois; Justice Walter T. Gunn of Danville, Illinois; Justice William J. Fulton of Sycamore, Illinois; Justice Francis S. Wilson of Chicago, Illinois, and Justice Charles H. Thompson of Harrisburg, Illinois, who abolish in Illinois, the two Freedoms which were gained for all American Citizens, by the direct Sires of the plaintiff in error, spilling their blood on the battle fields, from Hastings to Runneymede, to Concord, to Bunker Hill to Valley Forge to Yorktown, to-wit:

Freedom of Speech
Freedom of Religion

By riding on horseback from village to village the Puritan, Paul Revere of old, alarmed the American Colonists to the fact, that their Freedom was about to be destroyed by an "enemy from without." For doing that, a grateful people erected monuments to him.

By signing a letter of the Puritan Church to a Cook County Grand Jury, this Puritan alarmed his fellow citizens of Cook County to the fact, that the government, which protects their Freedoms was being destroyed by an "enemy from within." For doing that, a court of justice of Illinois would sentence him to six months in the Cook County Jail, under the cover of Contempt of Court.

This opinion, unless either reconsidered by this court, or "scrapped," by the U. S. Supreme Court, would deprive the citizens of the State of Illinois of the protection of the

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First Amendment to the Constitution of the U. S. A., which is as follows:

> "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging freedom of speech, or of the press."

[fol. 93] It would void the Constitution of Illinois, which is as follows:

> "Every person may freely speak, write and publish on all subjects being responsible for the abuse of that liberty."
> (Article 2, Section 17, of the Constitution of Illinois.)

It would annul the law of the U. S. A. established by the mandate of the Supreme Court of the U. S. A. in *Bridges* v. *The State of California* and in *Pannekamp* v. *The State of Florida.*

It would ignore the Fifth Amendment to the Constitution of the U. S. A. which is as follows:

> "This constitution, and the laws of the United States which shall be made in pursuance there of; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the Judges in every state shall be bound thereby and withstanding the constitution or laws of any State, to the contrary notwithstanding."

It would close to Illinois citizens, who heretofore were allowed to petition a Grand Jury for a redress of their grievances, access to an Illinois grand jury and stop the criticism by which the existing form of government is nourished.

It would permit Wm. J. Tuohy, the State's Attorney of Cook County and the pelf seeking tax officials of Cook County, and their supporting judges, to continue with impunity, from compelling the politically powerful Chicago Tribune, by the law now on the Statutes of Illinois which Mr. Tuohy used in the *Pioneer Tailoring* case, to disgorge to robbed Cook County the 100 million dollars, which, [fol. 94] under the prima facie evidence displayed on pages 8 and 9 hereof, it owes to Cook County.

It would fasten on the State of Illinois the present corrupt newspaper Dictatorship with the Robert R. McCormick described on page 34 hereof, as the Dictator of Illinois;

It would make of any criticism of his Dictatorship and its corruption, "lese majesty," under the name of contempt of court,

> "punishable by six months in the Cook County jail, or whatever term, a judge, acting without a jury, would determine, to impose upon the officer of an objecting church, who signed a letter of protest against the Chicago Tribune's corruption of the taxing machinery of Cook County;"

It would change the theory of our present form of government from:

> "Government of all the people by all the people, for all the people.
>
> To government of the law breaking Chicago Tribune" by the corrupt Chicago Tribune for the money greedy stockholders of the Chicago Tribune.

In *Pennekamp* v. *State of Florida*, 66 S. Ct. 1029, the Supreme Court of the U. S. A. in its foot-notes said:

> "Journalistic codes of ethics are all moonshine. Essentially, they are absurd as would be codes of street-car conductors, barbers or public jobholders. If American journalism is to be purged of its present swinishness and brought up to a decent level of repute—and God knows that such an improvement is needed—it must be accomplished by the devices of morals, not by those of honor. That is to say, it must be accomplished by external forces, and through the medium of penalties, exteriorly inflicted." Quoted [fol. 95] by LeVines, in Law and the Press, The Daily Record, Baltimore, March 11, 1932, p. 3, col. 1, 4.

16 "Compare the following statements from letters of Thomas Jefferson as set out in Padover, Democracy, 150-151:

> "I deplore * * * the putrid state into which our newspapers have passed, and the malignity, the vulgarity, and mendacious spirit of those who write them.

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• • • These ordures are rapidly depraving the public taste."

It is apparent in the court's opinion, that it has overlooked in the record now before it, certain facts, perhaps obscure, which, if now called to its attention, might cause it to change its present obviously erroneous opinion, to one in which it will clearly state that it is not contempt of Court in Illinois, for a citizen to inform either a grand jury, or a judge, or the clerk of a court, or a policeman "on the beat," or another citizen, that the constitution and the laws of Illinois, were being violated by tax thieves, as horse thieves of old also violated both.

So precious are constitutions that the Constitution of the U. S. A. permits a citizen to keep a gun in his home to protect them. The Puritans, John Adams and Benjamin Franklin, would turn over in their graves, if a court of the U. S. A. in the year 1947, shall finally decree, six months in the Cook County jail, to the officer of a church, for offering to a grand jury, the evidence of a violation of a constitution and the law of Illinois.

This Honorable Court, in the year 1901, in *State Board of Equalization* v. *People* found, in its opinion printed [fol. 96] at page 528 of Vol. 191 Illinois Reports, that every domestic Illinois Corporation must pay a capital stock tax computed according to Rule XI. This rule this court laid down in the court's opinion; it was confirmed by the U. S. Supreme Court; it has been the law of Illinois since the year 1872; there is no other law on the subject. The law is so clear that a high school graduate can understand it, only common thieves evade it.

Any domestic Corporation of Illinois which did not pay a capital stock tax, after the U. S. Supreme Court had confirmed this Court's opinion that such a tax must be paid by the Illinois domestic corporations, is a constitution violator and a law breaker. No "gangster," not even Al Capone is as bad a citizen, as the corporation president who would allow his corporation to cheat the State out of the capital stock tax.

The records in the office of the Secretary of State of Illinois, show that the Tribune Company is a plain Illinois domestic money-making corporation; it is not exempted from the operation of either the capital stock tax law or any other law. The owners of its stock have no special privileges, except as Robert R. McCormick,

its President, in his insolence of all law (Abst. . .), has arrogated to himself the right to defy the law and to corrupt the courts of Illinois, to abuse the processes of justice in litigation in which either he, or his law firm has a money interest. (See abstract.)

Here is a copy of the certified balance sheet of the Tribune Company for the year 1923, which is now squarely before the eyes of the court.

[fol. 97] Condensed Balance Sheets and Statement of Net Profits from Operations and Dividends Paid

(From Lloyd vs. Lloyd, 341 Ill. 461)

Assets as of December 31, 1923

Leasehold	$ 203,097.82
Building	1,892,817.47
Plan, Machinery & Equipment	3,010,546.25
Investments	3,404,322.84
Chicago Building Co. Stock	2,911,900.00
Working Assets	1,407,227.95
Current Assets	3,068,762.84
Real Estate, excluding Tribune Building	260,120.64
Total Assets	$16,158,795.81

Liabilities.

Capital Stock	$ 200,000.00
Surplus	9,831,705.96
Current Liabilities	2,199,469.95
Service Liabilities	101,758.95
Reserve for Doubtful Accounts	328,912.20
" " Taxes	727,938.97
" " Dep. Tribune Bldg.	425,877.61
" " Leasehold	54,375.95
" " Machinery & Equip't	1,442,259.82
" " Real Estate except Tribune Building	19,136.40
Miscellaneous Reserves	827,360.00
Total Liabilities	$16,158,795.81
*Net Profit for the year	$ 4,365,047.40
Dividends	3,300,000.00

(* From operations before payment of dividends.)

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[fol. 98] Applying this court's Rule XI, to the $3,300,000.00 cash dividend paid by the Tribune Company for the year 1923, the value of its capital stock for taxing purposes was then, and now is 60 million dollars. In the eyes of the law it has no other value. By no process of law can any other value be established for it; it is 60 million dollars no more, no less. The personal property tax for that year, on an item of 60 million dollars value, was $650,000.

Here is a certified copy of the books of the Cook County Assessor for the year 1923:

Town.....

		1923 Tribune
1.	Horses	.....
2.	Cattle	.....
3.	Mules & Asses	.....
4.	Sheep	.....
5.	Hogs	.....
6.	Steam Engines	.....
7.	Safes	.....
8.	Billiard Tables	.....
9.	Carriages & Wagons	.....
10.	Watches & Clocks	.....
11.	Autos	.....
12.	Piano Fortes	.....
13.	Melodeons & Organs	.....
14.	Franchises	.....
15.	Annuities & Royalties	.....
16.	Patent Rights	.....
17.	Steamboats, Vessels, etc.	.....
18.	Merchandise	.....
19.	Material & Mfgd Articles	.....
20.	Manufacturer's Tools, Implements & Machinery	.....
21.	Agricultural Tools, Implements & Machinery	.....
22.	Gold or Silver Plate	.....
[fol. 99] 23.	Diamonds and Jewelry	.....
24.	Money of Bank, etc.	.....
25.	Credits of Bank, etc.	.....
26.	Moneys of other than Bank, etc.	.....
27.	Credits of other than Bank, etc.	.....
28.	Bonds or Stocks	.....

Town.....

		1923 Tribune	
29.	Shares of Stock of Companies not incorporated by laws of this State	.....	
30.	Property of Pawnbroker	.....	
31.	Property of Companies and Corporation other than property hereinabove enumerated	50,000	
	property hereinabove enumerated	50,000	
32.	Bridge property	.....	
33.	Property of Saloons and Eating-houses	.....	
34.	Household or Office Furniture	.....	
35.	Investments in Real Estate	.....	
36.	All other Property	1,051,000	
	Total Full Value	1,101,000	R
	Total Assessed Value	550,500	
	Corrected by Board of Review	550,500	

The books of the Cook County Assessor show that the 60 million dollar item of the Capital Stock tax of the Tribune Company, for the year 1923, was neither listed or assessed; it was entirely omitted from the tax rolls of Cook County. The tax due to Cook County on this omitted taxable item of 60 million dollars for that year, was $650,000.00; the books of the Cook County Assessor show that the Tribune Company, for that year, paid a tax of only $39,545.50 on a total fraudulent valuation of $550,000.00 in violation of the Constitution of Illinois, in violation of the mandate of the Supreme Court of Illinois, and in violation of a mandate of the Supreme Court of the U. S. A. It cheated the State out of $610,454.50 of the tax due on the item of 60 million [fol. 100] dollars valuation. Because it was able to cheat the State of this tax, it was able to pay its stockholders for that year $3,300,000.00 cash dividend on their original investment of $200,000. This item of the stolen tax, with penalty for its omission from the tax rolls, and interest at 10% per annum, now amounts to an approximate sum of $3,236,772.00.

Unless the constitution of Illinois shall be changed to get the Tribune out of the hole in which it finds itself, by its own corruption and greed for money, this omitted item of taxable property is never outlawed; there is no way in the law of Illinois either "to settle" or "to compromise",

the tax due on taxable property omitted from the tax rolls; it will continue to draw interest at the rate of 10% per annum until it shall be paid in full willingly by the Chicago Tribune, or by the order of either the Supreme Court of Illinois, or by the Supreme Court of the U. S. A. to which it must be squarely presented, sooner or later. No newspaper, not even the Chicago Tribune, has a license to indulge in such corruption.

The same cowardly scheme to avoid its proportion of the tax burden of Cook County, was used by the Tribune each and every year for 66 consecutive years; for three generations from its founder to his self-inflated grandson, the Chicago Tribune cheated in its taxes. Thereby, it made members of the Medill-McCormick-Patterson families multi-millionaires, at the expense of the toiling working men and women of Cook County. The accumulated debt of the Tribune Company to Cook County for the tax money it cheated Cook County, now amounts, with penalty and interest added, to an approximate sum of 100 Million dollars.

[fol. 101] This is more money than was stolen from New York County by the "Tweed Gang"; more money than was stolen from Kansas City by the Pendergast "Gang"; more money than was stolen from Philadelphia by the "Gas House Gang"; more money than was stolen from San Francisco by the Abe Ruef "Gang". There is not in all the annals of American corruption in politics such a steal, and by a Newspaper sailing under the aegis of "Friend of the People".

The honest judges of New York put Tweed and his lawyers in Sing Sing Prison; the honest judges of Philadelphia put the McNichol "Gang", where thieves of public money should be put; the Pendergast "Gang" were put in Leavenworth Prison and Abe Ruef died on San Quentin "Rock", where men belong, who rob the government which protects them and their children.

Not a single one of the Tribune tax thieves has been molested in the possession of their loot, of Cook County. The lawyer for the Tribune Company, during the period when most of this tax steal was effected, still boasts, that Robert R. McCormick controls the State's Attorney of Cook County (Abstract page 1).

According to the records in the office of the Secretary of State of Illinois, the Tribune Company in the year 1923 had, and still has, 2000 shares of stock of a par value of

$100.00 each, outstanding. According to its balance sheet now before this court and undenied and undisputed in every court where it has ever been presented, each share of this stock in the year 1923, received its proportion of the $3,300,000.00 cash dividend of the Tribune Company for the year 1923, to-wit: $1650 in cash for each investment of $100.00, or 1650% return in a single year, on each $100 originally invested in it.

[fol. 102] Rule XI of the Supreme Court of Illinois and confirmed by the U. S. Supreme Court found, that there should be a yearly tax of $325 on each share of stock on which a yearly dividend of $1,650.00 was paid. Rule XI has never been either modified, annulled or repealed by any court or by the Illinois Legislature; it is the law of Illinois, and has been since 1872.

The law of Illinois, directed the Chicago Tribune to pay as a capital stock tax $325 on each share of its capital stock. The stock in the possession of the stockholders of the Tribune Company was exempted by law from the payment of a tax on that stock; the law presumed that the Tribune Company would pay up the capital stock tax on each share of its outstanding capital stock, as the Supreme Court of Illinois and the Supreme Court of the U. S. had directed it to do; the Tribune Company had no alternative; it either had to pay that tax, or finger its nose at the Supreme Court of Illinois and at the Supreme Court of the U. S. A.; as it did.

Defying all courts, all law, and the Constitution, the Tribune Company for the year 1923, under the management of its president Robert R. McCormick, cheated and defrauded Cook County of that tax.

Robert R. McCormick's "drag" as an "editor", with the tax officials of Cook County caused them to ignore the tax law of Illinois, and omit that 60 million dollars item of capital stock value, from the tax rolls of Cook County.

Robert R. McCormick, a lawyer, busy calling for the "Freedom of the Press", did not see fit to remind the tax officers of Cook County of the omission of that valuable [fol. 103] item from the tax rolls, by which he and the other stockholders were enriched in a single year of tax stealing, by $650,000.00. The stockholders of the Tribune Company, with the loot of $1,650.00 cash dividends on each share of stock in their possession, which included the money which had been stolen that year, from defenseless Cook County,

did not pay a single cent of tax on their personal stock holdings in the Tribune Company. Thus, Cook County was robbed by the connivance of Robert R. McCormick and Cook County Tax Officials, the Tribune stockholders and William J. Tuohy, the State's Attorney of Cook County, of the $650,000.00, tax money due from the Tribune Company.

In the year 1923 the tax on the cottage of every working man in Cook County was listed on the tax rolls of Cook County at the highest tax rate of any City in the U. S. A. except the City of Boston. The reason for this outrage upon the little homeowners of Cook County, was that the proportion of the tax burden of Cook County, which was avoided by the fraud of the Tribune Company and its multimillionaire stockholders, had to be distributed on the cottages as additional taxes.

The little home owners had to dig down in their pockets and produce for the faithless tax gatherers, the money which the Tribune Company had avoided by fraud. Sometimes they had to stop music lessons for a child, in order to get the money which the garners of taxes demanded of them. Meanwhile, the stockholders of the Tribune Company fattened in their stolen gold, and Weymouth Kirkland, the lawyer who had a part in this defiance of the law of Illinois, boasted that Robert R. McCormick controlled the State's Attorney of Cook County.

[fol. 104] Was it not some brave citizen's duty to inform a grand jury of this cowardly crime, by a newspaper?

On page 2 of its opinion, this Court says:

> "Parker seeks to escape the rule which forbids communicating with the grand jury, except through recognized lawful channels. This he cannot do."

There is no rule in Illinois, which forbids a Citizen communicating such diabolical facts as stated above, directly with a grand jury by an orderly letter. This court in its opinion did not point out such a rule in the law; there is none.

Here is the law of Illinois, showing the lawful channel through which Parker communicated with the Grand Jury, as it was stated by Judge Harold G. Ward, before the plaintiff in error signed the letter of the Puritan Church; as it was stated to the Cook County Grand Jury by Judge Ward on the day he signed the order committing this plain-

tiff in error to jail; as he stated it to the June, 1947, Cook County Grand Jury, the day his petition for a rehearing is being written:

("The foreman was sworn.)

That after said grand jurors were duly sworn, Judge Ward instructed the Grand Jury as follows:

Ladies and Gentlemen of the Grand Jury: The Grand Jury, for which you have been subpoenaed to serve in this court, is an institution of ancient origin, descending to us from the common law in England, which is in force in this state, and, as a body, it is endowed with very great powers. In this state no person may be prosecuted for a [fol. 105] felony without an indictment presented by the Grand Jury. You are, therefore, an investigating and an accusing body of all offenses of the magnitude of a felony which are committed within the jurisdiction of the Criminal Court of Cook County. *It is your duty not* only to investigate and present accusations, but also to guard against oppression of individuals through unfounded and unmerited prosecution.

Now that your Foreman has been selected and all duly sworn to perform your duty, *you become a part of the Criminal Court of Cook County,* but you are, in fact, under the law, a separate and independent body.

You have a perfect right, under the law, to make your own investigations, unaided by the Court and unassisted by the prosecuting attorney. It is the duty of the Court to instruct you, and the Court desires to caution you not to engage upon an inquiry without reasonable proof that evidence is obtained or will be obtained upon which to act in your capacity as Grand Jurors.

Your duties do not contemplate investigation of problems generally. *Your investigations should be limited to persons and crimes, with a view to making your presentments to the Court.* To publicly involve the name of a citizen in a Grand Jury inquiry or investigation, is irreparable injury to that citizen, and frequently destroys his reputation. The Court suggests that you avoid such things wherever possible.

In a large community such as ours, attempts are frequently made to investigate certain situations, without hope of obtaining sufficient evidence to make presentments, and such investigations are wasteful, costly and harmful and bring no results.

[fol. 106] In a well organized system of administration of the criminal law, the State's Attorney is the legally constituted official to carry on prosecutions on behalf of the State and to gather facts necessary for a successful prosecution, and present them to the Grand Jury. *However, when I say that, I do not mean in any manner to say to you that you cannot independently investigate such matters as you deem proper under the circumstances.*

No twenty-three persons, no matter how competent or informed, could hope through inquisitorial process to gain such evidence unaided. It is my advice, therefore, that you look to the State's Attorney for such aid as he can lgive you, *having in mind, however, as I have heretofore stated, that you are absolutely independent of the State's Attorney and of all officials.*

If reliable information comes to your knowledge from sources other than that of the State's Attorney, which in your judgment might lead to the disclosure of crime or the direct identity of a felon, it is your duty to act upon it.

The things that the Court desires to impress upon you, however, are *to keep constantly in mind that it is your duty to make investigations wherever legally required to do so, without being unduly or illegally oppressive.*

In every case that comes before you, you will hear the evidence carefully and present indictments only in such cases where, as a result of your careful inquiry, you have reasonable grounds to believe that the evidence before you is sufficient, in the absence of other proof, to justify the conviction of the person accused.

Under the law, twenty-three citizens constitute a Grand [fol. 107] Jury. Sixteen members of the Grand Jury constitutes a quorum, and a vote of twelve jurors is required to vote a true bill, which is called an indictment. If you act upon common knowledge, the law requires that the information be possessed by at least two of your number, unless one of your number is previously sworn as a witness, in which case his testimony is to be treated precisely the same as the testimony of any other witness.

In connection with the impanelling of the Grand Jury, the Court is required, under the statute of the State of Illinois, to specifically charge you to make true inquiry and report on all violations of an act entitled, "An Act to Suppress Bucket Shops, Gambling, etc."

May I also call your attention to Chapter 38, Section 744 of the Statute of the State of Illinois, which provides that no Grand Juror or officer of the Court, or other person shall disclose that an indictment for a felony is found, or about to be found against any person not in custody or under recognizance, except by issuing process for his arrest, until he is arrested nor shall any Grand Juror state how any member of the Jury voted, or what opinion he expressed on any question before them.

It has long been the policy of the law, in furtherance of justice that the investigations and deliberations of a Grand Jury should be conducted in secret, and that for most intents and purposes all its proceedings are legally sealed against divulgence. The Grand Jurors are sworn to keep secret the State's, their fellows' and their own counsel. This language has obvious references to all things which transpire in the grand jury room, and the principle underlying this injunctio—n of secrecy, extends equally to all persons required by law to be present before the Grand Jury.

[fol. 108] The rule of secrecy concerning matters transpiring in the grand jury room, it has been said, is not designed for the protection of witnesses before the Grand Jury, but for that of the Grand Jurors, and in furtherance of the public justice.

And the Court, in charging said Jury, shall impress upon their minds the provision of this section, "A violation of this section shall subject the offender to an attachment as for contempt of Court, in which he shall be fined not exceeding five hundred dollars."

I hope, Ladies and Gentleman, that you will take your business as Grand Jurors seriously, regarding your duty both to the State and to the individual whose fate you are to consider. Keep in mind that it is not intended that the Grand Jury should act machine like, crushing everything that might come under its sway. Yours is the solemn duty to present to the Court such cases against the evidence before you reasonably leads you to believe that they can be convicted.

For the past number of years the State's Attorney has had an assistant in charge of the Grand Jury whose name is Mr. Spiro. He will retire with you when the Court is through with this charge. You will find that he's a well-

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equipped, well-informed gentleman, and will be of great assistance to you in your deliberations.

That is about all I have to say to you, Ladies and Gentlemen. I will not give you any further instructions or directions unless you ask the Court for them, or unless something unusual requires that that should be done. I want you to know, however, that should you desire or require any further instructions or directions from the Court, that the Court is at all times ready, eager and willing, either in the [fol. 109] court room or in the grand jury room, to give the Grand Jury such instructions, directions or interpretations of the law as the Grand Jury may require or desire.

I will now ask that you retire to the grand jury room with Mr. Spiro, which is right across the way, and he will direct you there.

That is all, Ladies and Gentlemen. Please retire and start on your deliberations."

The record before this court now, shows that Parker did communicate the above facts to the grand jury as he should have, through the channels stated in the Illinois law, and not otherwise. He followed the law of Illinois as it was then, not as it would be changed to put him in jail for six months, unless its Per Curiam opinion shall be re-considered by this honorable court.

In the Cook County jail, where this plaintiff in error, was incarcerated for four months, by an order of the Tribune law firm, in a vain effort to "shake him down," in a libel damage settlement, from a $75,000.00 settlement to which he had agreed to $7,000.00 to which he would not agree even under the duress of murder, he discovered the foregoing evidence of criminal conspiracy by which Cook County had been robbed of a large sum of money by the Tribune Company.

At once, this plaintiff in error, placed certified copies of this evidence in the hands of Thomas J. Courtney, the States Attorney of Cook County, William J. Tuohy, his assistant, in charge of the collection of Taxes, and Jacob Schamberg the assistant to William J. Tuohy (abs). [fol. 110] Neither did anything; all were afraid of the Chicago Tribune, all defended it, despite the evidence of its cowardly loot of Cook County.

Then, this plaintiff in error, submitted the evidence to the Circuit Court of Cook County—to Judges Harry M.

Fisher, and Joseph Burke. Indignant that such unanswerable evidence of Tribune theft was extant, these Judges upon the motion of Thomas J. Courtney, Wm. J. Tuohy, Jacob Schamberg, and Howard Ellis the lawyer for the Chicago Tribune, illegally "struck" that orderly lawsuit, in which the evidence of the Tribune tax steal was legally brought before a Court of Justice.

Then, this plaintiff in error, in an orderly legal mandamus law suit numbered 24881, for which he paid all the required court costs, petitioned the then Supreme Court of Illinois to reverse the obviously illegal orders of Judges Fisher and Burke, and compel the Chicago Tribune to go on trial and defend itself, if it could, for the omission of its taxable personal property of 60 million dollars, from the tax rolls of Cook County.

The then Supreme Court of Illinois, in its opinion printed in the Illinois Supreme records Vol. 370 Page 243 did not even refer to the issues then before it. Rather, it wrote an opinion on some Court record which was not before it.

Weymouth Kirkland had warned this plaintiff in error that Robert R. McCormick controlled the then courts of Illinois, from the Municipal up to and including the Supreme Court of Illinois; that this plaintiff in error would be defeated in all litigation in which he might engage with [fol. 111] Robert McCormick or his money interests (abs.)

So, this plaintiff in error after two such victories in the courts by the Tribune Company, turned the evidence of the Chicago Tribune's crime over to the Puritan Church; it has a stake in upholding the law; it can fight to uphold the law, with weapons which this lone plaintiff in error, does not possess.

"The Puritan Church wrote a letter to Governor Green; there was no answer (Exhibit C): it wrote a letter to Hon. Michael McKinley, Chief Justice of the Superior Court of Cook County; there was no answer; it wrote a letter to Harold G. Ward, Chief Justice of the Criminal Court of Cook County (Exhibits D & E); there was no answer; it wrote a letter to Thomas J. Courtney, State's Attorney of Cook County (Exhibit B); there was no answer; it wrote a letter to the Chicago Bar Association (Exhibits F and G); there was no answer; it wrote a letter to the Commonwealth Edison Company (Exhibit J); there was no answer; it wrote a letter to the City Club (Exhibit K); there was no answer; it wrote a letter to the Kirkland Law Firm (Ex-

hibit L); there was no answer; it wrote a letter to William J. Tuohy, the State's Attorney of Cook County (Exhibit M); there was no answer; it wrote letters to various foremen of Cook County grand juries (Exhibits O, O-1, O-2, O-3, O-4); there were no answers.

Then the Puritan Church sent an orderly appeal to the Board of Tax Appeals of Cook County; the answer to that was an attempted felonious assualt upon said Harrison Parker by James J. McDermott, member of said Board of Appeals.

[fol. 112] Previously before the same Board of Appeals, said Weymouth Kirkland had attempted a felonious assault upon said Harrison Parker; the only blow delivered by said Kirkland, to land upon said Harrison Parker, were the following words taken from the Court Record in the lawsuit of said Harrison Parker against said Weymouth Kirkland for slander:

> "He (meaning Harrison Parker) has a diarrhoea of the mouth; he is a rat, a dirty rat, he ought to be taken for a ride; why you—(Mr. Kirkland meaning such vile, repulsive, vulgar, nauseating words, that the same are not fit to print or write; then said Kirkland attempted to Strike Mr. Parker)."

Undaunted by the knowledge there gained, that no other citizen interest or court in Illinois cared to grab the politically powerful and enormously rich Chicago Tribune, by the nape of the neck and the seat of the trousers and compel it to observe the law and disgorge its stolen money, the Puritan Church consulted the best lawyer in Chicago. He told it, that all the law of Illinois, on the grand jury was established by the Supreme Court of Illinois.

In *People* v. *Graydon*, 333 Ill. 429, commencing at page 431. At page 433 this Court said:

> "The power of the grand jury is not dependent upon the court but is original and complete, and its duty is to diligently inquire into all offenses which shall come to its knowledge, whether from the court, the State's Attorney, its own members or from any source, and it may make presentments of its own knowledge without any instruction or authority from the court. (*United States* v. *Thompson*, 251 U. S. 407; *People* v. *Blumen-*

feld, 330 Ill. 474.) The court cannot limit the scope of the investigation of the grand jury."

[fol. 113] This statement of the law of Illinois was repeated in *People* v. *Sheridan,* 349 Ill. 202 at 208.

This opinion of the Supreme Court of Illinois, has never been either reversed, modified or annul-ed by either this Court or by the U. S. Supreme Court or by the Illinois legislature. It is the final law of the State of Illinois, on the grand jury even today.

Upon the authority of this opinion, that it is the duty of a grand jury:

> "To diligently inquire into all offenses which shall come to its knowledge—from any source,"

the Puritan Church then wrote to the Cook County Grand Jury the following letter, which was signed by this plaintiff in error, in his official capacity, in the course of his ecclesiastical duties as the Chancellor of the Puritan Church.

The religious idea of the Puritans, in 1642, established the First Church of Reading, Massachusetts; in 1776, wrote the Declaration of Independence; and in 1940, by its incorporation under the religious statutes, founded the

Puritan Church

The Church of America

Office of the Chancellor
La Grange, Illinois.

May 9, 1946.

Foreman of the Cook County Grand Jury
Criminal Court Building,
26th Street and California Avenue,
Chicago, Illinois.

Dear Sir:

This Church has in its possession, certified documents which show that by an open violation of the [fol. 114] Constitution of Illinois, the law passed by her legislature, and an expressed mandate of the U. S. Supreme Court, the Tribune Company, with the connivance of the Kelly-Nash Democratic machine, has

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stolen from defenseless Cook County, a sum of money which including the taxes owed to Cook County, the penalty for violating the Constitution and the law, and the statutory interest thereon, amounts to the enormous sum of 100 million dollars, the amount for which Mayor Kelly is seeking a new bond issue for Chicago.

In the evidence open to you, is the heretofore suppressed testimony under oath, by A. T. Ward, the trustee of the Medill Estate, that the Tribune Company, from 1892 to 1925, paid its stockholders in monthly cash dividends, sometimes at the rate of 500% per month, a total amount of twenty-eight million and sixty-three thousand, six hundred and sixteen dollars and eighty cents ($28,063,616.80): Upon a paid in capital of $200,000; the accuracy of these figures is attested by the Clerk of the Supreme Court of Illinois; certified balance sheets of the Tribune Company are also in the evidence.

On such cash dividends, the Constitution and the law of Illinois upheld by the U. S. Supreme Court, requires a tax. The certified copies of the books of the County Assessor, also in the possession of this Church, show that not a single cent of the legal tax was ever either assessed by the Cook County Assessor or paid by the Tribune Company; the taxable items were feloniously omitted from the tax rolls; thus the tax was avoided.

[fol. 115] The evidence also discloses that the tax money which was legally due to Cook County, was used by the Tribune Company to acquire the Ontario Paper Company of Canada, and the New York Daily News: The Ontario Paper Company is today appraised at 50 million dollars; and the New York Daily News is appraised at 100 million dollars.

Thus, by a violation of the Constitution of Illinois, and the law passed by her legislature, and a mandate of the U. S. Supreme Court, the multimillionaire stockholders of the Tribune Company, were enormously enriched and the defenseless little home owners of Cook County were correspondingly despoiled.

The taxes now due to Cook County from the Tribune Company, on taxable items omitted from the tax rolls, are never out-lawed. There is no provision in the law

either "to settle" or to compromise, either the principal sum due, or the penalty, or the interest. When the debt shall be paid, and it must be, if this be a government by Constitution and the law, it must include interest at the rate of 10% per annum, up to the day of settlement.

Awaiting your call to display this evidence to your Honorable body, we remain.

Very truly yours, The Puritan Church: By: Harrison Parker Harrison Parker, Its Chancellor.

The answer to this orderly letter of a petition for a redress of its grievances to the Cook County Grand Jury, was thundered by Harold G. Ward, the Chief Justice of the Criminal Court of Cook County, in the following words taken from the Court record:

[fol. 116] "Harrison Parker guilty of contempt of court because of the facts set forth in the Information and admitted by Harrison Parker in his answers, is guilty of acts and conduct directly calculated to impede, embarrass and obstruct this Court in the due administration of justice; because of said acts and conduct on the part of said Harrison Parker, he is guilty of contempt of court.

Therefore, it is the judgment and order of this Court, that said Harrison Parker is guilty of contempt of court and because of said contempt, he is committed to the County Jail of Cook County, for the term of six months, and after the delivery of the body of said Harrison Parker, to the Jailer of Cook County, the body of said Harrison Parker, be taken from the Bar of the Court, to the common jail of Cook County and the Sheriff of Cook County, is hereby commanded to take the body of said Harrison Parker and confine said body in the County Jail of Cook County, for the term of six months, from and after the delivery of the body of said Harrison Parker in the safe and secure custody during said term; thereafter, to be discharged by due process of law."

The Information on which this sentence was based, charged and accused Parker only with "composing, signing and depositing in the U. S. Mails, a letter addressed to the

Foreman of the Cook County Grand Jury." There is no other charge in that Information. The words, conduct, calculated to impede and embarrass and obstruct this Court in the due administration of justice, were added by the Court to furnish it with a peg on which to hang a sentence of six months.

In confirming the sentence of this plaintiff in error to six months in the Cook County jail, for signing the above letter, this Court did not state in its opinion what the lawful channels for petitioning a grievance to a grand jury *is*. [fol. 117] Every American citizen thinks that it is an American Right to inform the Grand Jury of the commission of a crime. Other citizens might not be compelled to spend 6 months in the County Jail, if this Court would point out in the law of Illinois, wherein the channels of law in connection with a grand jury are different from the channels directed in this court's per curiam opinion.

Surely, there is some way in the law of Illinois, for informing somebody, of a law violation by a powerful newspaper, such as is indicated in this record?

On page 3 of its Per Curiam opinion the court said:

> "The affidavit filed in suport of the petition (for a change of venue from Cook County) contained many wild and scandalous charges against certain individuals and public officials."

In its mercy, the law of Illinois allows any person a change of venue, from a judge who is known to be prejudiced against that person. The same beneficent law compels the judge to grant the change of venue, when it is presented in the statutory form.

This plaintiff in error, in this case legally petitioned the trial judge for a change of venue. The trial judge arbitrarily refused to grant it.

In the Illinois Supreme Reports 299, at page 93, this Court said:

> "It will only be necessary to consider two errors assigned by plaintiff in error: (1) That the Court [fol. 118] erred in denying him a change of venue; • • •
>
> "Plaintiff in error's petition for a change of venue was based on the prejudice of the trial judge. His sworn petition for a change of venue is in substantial compliance with the Statute • • •

> "The right to a change of venue from the trial judge in a criminal case in compliance with the Statute is absolute. And it was reversible error for the Court to overrule the motion. People v. Cohen, 268 Ill. 416; Cantwell v. People, 138 id. 602."

In *People* v. *Mortenson*, 224 Ill. 221, the court held that in matters of contempt, criminal in their nature as in the instant case, the imposition of a judgment in such a contempt proceeding, is a criminal case.

Any case in a criminal court where trial judge without a jury, can impose a six months sentence in the County jail, is a criminal matter, unless it be declared otherwise by legal sophistry.

If a person standing before the bar of Justice in Illinois were not allowed a change of venue from a judge, whom he knew to be prejudiced, the administration of Justice will have reverted to the practices of the clerical courts of the Dark Ages.

This law above cited is still the law of Illinois. It has never been modified, annulled or repealed either by this court or by any other court or by the Illinois Legislature, except as this court would modify it in the Per Curiam opinion in this case to put the plaintiff in error in jail where he cannot agitate the Tribune tax steal.

When this plaintiff in error was summoned into Criminal Court of Cook County, for signing a letter of the Puritan Church to the Cook County grand jury, he was met at the [fol. 119] entrance of the trial judge's courtroom by a member of that Church.

There, this plaintiff in error was reliably informed that, by a "deal" between Wm. J. Tuohy, the State's Attorney of Cook County, who signed the Information summoning this plaintiff in error to the Criminal Court, J. Loy Maloney, the managing editor of the Chicago Tribune and the trial judge, the law of Illinois and the facts would make no difference; the trial judge had agreed to sentence this plaintiff in error, to six months in the County jail, because the Chicago Tribune could no longer tolerate the damaging letters to the grand jury regarding its 100 million dollar tax steal, which this plaintiff in error was signing for the Puritan Church.

At once, this plaintiff in error filed a petition for a change of venue from the trial judge. When this was denied by

him, this plaintiff in error had only one more opportunity under the law of Illinois, to legally escape from the clutches of the trial judge; it was through a petition for a change of venue from Cook County.

The law in permitting that petition, compelled this plaintiff in error, to state under oath, the reason why he did not want to go to trial in Cook County.

The law which compelled him to state in his petition why he did not want to go to trial in Cook County, also allowed counter affidavits by the persons whom he might name in his petition.

A reference to the court records before this court, will show that the charges made by this plaintiff in error, in his petition, for a change of venue from Cook County, were on record for two weeks before his petition was denied [fol. 120] by the trial judge. During this period the persons named in that petition did not make a single denial of the ugly charges made by this plaintiff in error in his petition for a change of venue from Cook County.

There is not in the entire record now before this court a single word on which this court can base its expressed opinion that the charges made there, by this plaintiff in error, under oath, were "wild" and "scandalous".

For the benefit of the court, this petition of this plaintiff in error is reproduced below, from the Abstract.

The main charges in this petition are: (1) That the Tribune Company had cheated Cook County of taxes due to it, in the amount of 100 million dollars; this charge is proven in the foregoing pages of this petition; that charge was not "wild and scandalous". (2) That Robert R. McCormick had debauched the wife of his best friend Edward S. Adams, in the said Edward S. Adams' Town House and Lake Forest House. The records in the Superior Court of Cook County in case 310,206 and in the U. S. Courts in case 226191 show that Edward S. Adams made that charge under oath; it was never denied in the record, by Robert R. McCormick.

The records in the Superior Court of Cook County show that Robert R. McCormick settled the law-suit with Edward S. Adams. The public records show that Edward S. Adams divorced his wife and Robert R. McCormick married her.

Public leaders such as Robert M. McCormick has made himself in his Chicago Tribune, are supposed to animate

the youth to righteous conduct. If all of us did what [fol. 121] the record in that case, under oath, shows what Robert R. McCormick did to a fellow man, where would our Christian civilization be?

In the light of these facts, shall this honorable court still say that this charge by this plaintiff in error in his petition, was "Wild" and "Scandalous".

(3) In that affidavit, it is charged that the agents of Robert R. McCormick "whined", around the offices of the other newspapers' editors to beg them to omit from the news columns the "news" about Robert R. McCormick, such as he prints about other men, in his personally controlled Chicago Tribune.

This plaintiff in error, at that time, was the President of the Chicago American. He made this charge in his petition under oath. The proof of that statement is in the newspaper files in the Chicago Public Library. They show that not a Chicago newspaper printed this "news" about Robert R. McCormick. Was this charge by the plaintiff in error "wild and scandalous"? (4) It is charged in that petition, that Weymouth Kirkland boasted to this plaintiff in error, that Robert R. McCormick controlled the State's Attorney, and the then Courts of Illinois. The evidence now before this court in this case, shows that the State's Attorney of Cook County still refuses to legally proceed to collect from the Tribune Company the money it owes to Cook County. Is that charge "wild and scandalous"?

(5) It is charged in that affidavit, that after the Tribune Law firm, in a vain attempt to compel the plaintiff in error, by a jail incarceration, to reduce to $7,000.00 a libel settle- [fol. 122] ment from $75,000.00, an attempt was made to have this plaintiff in error, poisoned while he was defenseless in the Cook County jail.

The records in the Cook County jail, unless they have been mutilated, will show that men in the Cook County jail, who had eaten a piece of cake, which was intended for the plaintiff in error, were poisoned and would have died had not this plaintiff in error summoned doctors and nurses, who saved their lives.

Today, as this petition for rehearing is being written, the following "news" shows, that poison can be smuggled into the Cook County jail.

> "Poison has been found in the body of Julius (Dolly) Weisberg.
>
> What kind of poison, or how much, or whether it was in sufficient quantity to kill was expected to be revealed in a written report to be submitted today to Coroner A. L. Brodie.
>
> Finding of the poison created a mystery immediately, and one official said, it may 'rip the case wide open.' He refused to say what he meant by this.
>
> The poison was found late yesterday toward the end of minute and exhaustive tests conducted in the County Morgue laboratories by chemists under Dr. William D. McNally, coroner's toxicologist and world-famed authority on poisons." (Page 1, col. 8, Chicago American, May 29, 1947.)

In the light of this, shall this court continue to say, without a word on which to base its conclusions, that this charge in that affidavit was "Wild" and "Scandalous"?

(6) It is charged in that affidavit that Howard Ellis of the Tribune Law Firm had written anonymous letters [fol. 123] about this plaintiff in error, and had them broadcast through Chicago, in order to discredit this plaintiff in error, in the Courts, among his friends and among the law abiding Jews of Cook County.

There is now in the archives of the U. S. Government, in the office of the Postal Inspector, in the City of Chicago, a determination by the U. S. Postal Inspectors, that Howard Ellis, a partner of the Tribune Law Firm, was the writer of these letters.

Should the court continue to say that this charge in that affidavit is "wild" and "scandalous"?

In view of the above facts should not this honorable court reconsider its opinion and remove from that opinion, at least, its conclusion, that the statements of this plaintiff in error, made under oath, are "Wild" and "Scandalous".

There is not in the City of Chicago, where this plaintiff in error, has lived for fifty years, any record that this plaintiff in error, ever uttered a lie or that he ever made

in writing, a statement which in a libel trial, could not have been defended with the constitutional defense, Truth.

Affidavit of Harrison Parker in support of motion for a change of venue from Cook County:

In the year 1914, Harrison Parker was the President and Publisher of the Chicago American, a newspaper: on August 5, 1914 Edward S. Adams, a cousin of Robert R. McCormick, the editor and president of the Tribune Company, filed a lawsuit numbered 310206, against the said Robert R. McCormick, in which said Adams alleged under oath that said McCormick had [fol. 124] debauched the wife of said Adams in the town house and in the Lake Forest home of said Adams; whereupon, said Robert R. McCormick filed a lawsuit numbered 22619, in the Federal Court of Chicago to have said Adams adjudicated a Bankrupt; upon the filing of the lawsuit, an agent of said McCormick waited upon said Harrison Parker in his office, 326 W. Madison Street, Chicago, and there, stated to said Harrison Parker, that the U. S. Judge then sitting in the Federal Court, had agreed to ruin said Adams in the said Court proceedings, provided that every newspaper publisher in Chicago, would agree to suppress all "news" of such proceedings; that all newspaper publishers had agreed, and said Harrison Parker was expected to agree to suppress said "news:" that said Harrison Parker told the said agent of Robert R. McCormick, that he Harrison Parker, was a hired man who was paid a salary, to print the "news" and not suppress it: that the appeal of said Robert R. McCormick should be to William Randolph Hearst who owned the said Chicago American. That the said agent of Robert R. McCormick left the office of said Harrison Parker, vowing the vengeance of the entire Medill-McCormick family and their privately owned Chicago Tribune against said Harrison Parker:

Within an hour another agent of Robert R. McCormick returned and stated, that said Harrison Parker was right: then and there, an appeal was made by telephone to William Randolph Hearst at his San Simeon Ranch: he ordered said Harrison Parker to "suppress" in the Chicago American the "news" of the proceedings in the Federal Court: thereafter Robert

R. McCormick libelled said Harrison Parker in his [fol. 125] privately owned Chicago Tribune beginning with the year 1915, and continuing regularly up to and including 1946: the libels ruined the business life of said Harrison Parker and the social life of his family: on August 25, 1932 said Robert R. McCormick carelessly had said Harrison Parker libelled in the Chicago Tribune; whereupon, said Harrison Parker sued the Chicago Tribune for a libel damage of one million dollars: Weymouth Kirkland, the general counsel for the Chicago Tribune, settled the libel damage for $75000; upon the filing of the praecipe: Robert R. McCormick repudiated both said Kirkland and his suggested settlement:

Said Kirkland then invited said Harrison Parker to call upon him at his office, 33 North LaSalle Street: there, he told said Harrison Parker that said Robert R. McCormick controlled all the Courts of Illinois, from the Municipal up to and including the Supreme Court of Illinois; that said McCormick controlled the State's Attorney of Cook County: that said McCormick was a dangerous man to mix with in the Courts: that said Harrison Parker would be defeated by the orders of said McCormick in every piece of litigation in which he might engage in the Courts of Illinois: to make his threat more articulate, said Kirkland informed said Harrison Parker, that said Robert R. McCormick had hired him, said Kirkland, to fix the Appellate Court of Chicago, to set aside the award which a jury had made to Judge William Fennmore Cooper, against the Chicago Examiner: said Harrison Parker that day viewed in the Appellate Court, the record to which said Kirkland had referred him, and found the situation there, as said Kirkland had boasted:

[fol. 126] Following this interview with said Kirkland, Howard Ellis, a partner in the Kirkland law firm, sent for said Harrison Parker to come to his office at 33 North LaSalle Street: there, said Ellis informed said Harrison Parker that the Chicago Tribune would "get rough" with him, unless said Harrison Parker dismissed his libel damage lawsuit against the Chicago Tribune: said Harrison Parker did not take said Ellis' advice:

Thereafter, the Appellate Court of Chicago was either influenced, intimidated or bribed, to write against the evidence in case 36295 an obviously crooked opinion with a malice count, which compelled said Harrison Parker either to pay one Mae Quinliven $7000, or go to the debtor's cell at the Cook County Jail: said Harrison Parker considered it more honorable, under the circumstances to go to the County Jail, rather than to pay the $7000, and he went there:

Said Harrison Parker in the Cook County Jail, was offered $7000 by said Howard Ellis, if he, said Harrison Parker, would dismiss the said libel lawsuit; said Harrison Parker refused:

Following the refusal to accept the $7000 offered by said Howard Ellis, the then Warden of the Cook County Jail named Money Penny, warned said Harrison Parker, that an assas-in with a knife to kill said Harrison Parker, had been discovered in said Harrison Parker's cell, placed there by the Tribune law firm:

That thereafter, a second attempt was made to poison said Harrison Parker in his cell at the Cook County Jail, with arsenic poison: said Harrison Parker "hollered" so loudly about the attempts made to murder [fol 127] him in the Cook County Jail, that Weymouth Kirkland, uninvited, called at the County Jail, and there released said Harrison Parker, as easily as he had been incarcerated there, by the Tribune law firm "to shake him (said Harrison Parker) down" in a libel damage settlement with the Chicago Tribune, from the agreed upon settlement of $75000, to the $7000 settlement to which said Harrison Parker would not agree, even under the duress of murder.

Upon the release of said Harrison Parker from the Cook County Jail, he discovered in hidden records that taxable items of personal property of said Tribune Company, had been omitted from the tax rolls.

Whereupon said Harrison Parker started an ex rel lawsuit to recover from the Chicago Tribune, the money it owes to Cook County.

Thereafter. said Harrison Parker was offered a libel damage settlement of $25000 at the Lake Forest home of Roy D. Keehn, where said Kirkland was present: said Harrison Parker refused said offer: thereafter, an offer by the Chicago Tribune of $5000 a year for life

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was offered to said Harrison Parker, through Governor Heil of Wisconsin.

This offer was withdrawn before said Harrison Parker had the opportunity to refuse it.

Then, the Chicago business and social friends of said Harrison Parker were flooded with scurrilous, anonymous letters; the U. S. Post Office Inspectors determined that Howard Ellis of the Kirkland law firm, was the writer of the scurrilous and anonymous letters.

Meanwhile, the ex rel lawsuit by said Harrison [fol. 128] Parker to recover the money the Chicago Tribune owes Cook County, landed in the Supreme Court of Illinois: said Kirkland has warned said Harrison Parker that said Robert R. McCormick could and would fix every Court of Illinois, in which either said McCormick, or his Chicago Tribune had a money interest: the Opinion of the Supreme Court of Illinois, in the Tribune tax litigation, reported in 370 Ill. 243, does not refer to the record then before that Court: this litigation in which approximately 100 million dollars of state funds are involved, was dismissed on defective pleadings, without an order to the State's Attorney of Cook County, to do his duty on the facts presented: the evidence of the Chicago Tribune's frauds against Cook County, was placed in the hands of the Puritan Church.

Some of its members are owners of homes in Cook County free and clear: they had complained to their Church, that the taxes on their homes, had been doubled, since the said Robert R. McCormick had taken over the control of both the Kelly-Nash democratic and Governor Green's State republican machines, with his William J. Tuohy and their Jacob Shamberg in charge of the tax collection department in the State's Attorney's Office.

That to uphold Section 7 of its Creed, to-wit:

"the strong must protect the weak,"

the Puritan Church wrote a letter to Governor Green: there was no answer (Exhibit C): it wrote a letter to Hon. Michael McKinley, Chief Justice of the Superior Court of Cook County; there was no answer: it wrote a letter to Harold D. Ward, Chief Justice of the Criminal Court of Cook County (Exhibits D and E); there was no answer: it wrote a letter to Thomas J. Court-

[fol. 129] ney, State's Attorney of Cook County (Exhibit B); there was no answer: it wrote a letter to the Chicago Bar Association (Exhibits F and G); there was no answer: it wrote a letter to the Commonwealth Edison Company (Exhibit J); there was no answer: it wrote a letter to the City Club (Exhibit K); there was no answer: it wrote a letter to the Kirkland law firm (Exhibit L); there was no answer: it wrote a letter to William J. Tuohy, the State's Attorney of Cook County (Exhibit M); there was no answer: it wrote letters to various foremen of Cook County grand juries (Exhibits O, O-1, O-2, O-3, O-4); there were no answers.

Then, the Puritan Church sent an orderly appeal to the Board of Tax Appeals of Cook County; the answer to that, was an attempted felonious assault upon said Harrison Parker, by James J. McDermott, member of said Board of Appeals.

Previously before the same Board of Appeals, said Weymouth Kirkland had attempted a felonious assault upon said Harrison Parker; the only blow delivered by said Kirkland, to land upon said Harrison Parker, were the following words taken from the Court Record in the lawsuit of said Harrison Parker against said Weymouth Kirkland, for slander:

"He (meaning Harrison Parker) has a diarrhoea of the mouth: he is a rat, a dirty rat, he ought to be taken for a ride: why you—(Mr. Kirkland meaning such vile, repulsive, vulgar, nauseating words, that the same are not fit to print or write: then said Kirkland attempted to strike Mr. Parker)."

(Record Parker vs. Kirkland, 298 App. 38.)

[fol. 130] Said Harrison Parker sued said Kirkland for slander; the trial Judge Joseph A. Sabath, dismissed the lawsuit, upon the motion of said Kirkland, on the ground that said Kirkland, a lawyer, could say anything, with impunity.

This Opinion was appealed to the Appellate Court of Chicago where the Court decided in an opinion written by Judge Hugo Friend, that the American rule of law, that a lawyer could say anything that was pertinent to the issue, was abandoned, and the English rule was then and there adopted, that a lawyer has a right

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to say anything in a Court: to get Kirkland over that spot, Judge Friend ruled, that the Board of Appeals of Cook County, is a quasi judicial body. (298 Appellate 340):

Said Harrison Parker did not appeal Judge Friend's unique Opinion.

Irked by the persistence of the Puritan Church in advertising the corruption in the State's Attorney's Office, under its administration by William J. Tuohy, which has caused in Cook County, an increase of 20% in murder: 57% in rape: and 100% in taxes, Jacob Shamberg, an assistant State's Attorney in charge of taxes, whom the Puritan Church has accused of "selling out" Cook County, in favor of the poltically powerful Chicago Tribune, had Dr. Agnes Richardson, the Minister of the Mother and Father Church of the Puritans, illegally dragged before Judge Daniel P. Trude, a former general counsel for the Chicago Tribune, on a charge of Contempt of Court.

The innocent and defenseless woman was hustled [fol. 131] into the Cook County Jail, by a crooked order written by the Tribune law firm: there she was "mugged" finger printed and otherwise manhandled, before a bondsman could be procured for the outraged woman: the Appellate Court has ruled that her arrest and incarceration in the jail, were illegal, but she had to endure the humiliation of a "news" story in the Chicago Tribune.

The same Appellate Court in litigation in which said Harrison Parker was engaged with the said Jacob Shamberg, said this about him, although Harrison Parker's sanity was not an issue, and the Appellate Court has no jurisdiction in insanity matters:

"After a careful consideration of the many wild charges and statements contained in the pleadings, we concluded that if there had been interposed in the trial court the defense that Parker was not of sound mind, when he filed the documents, such a defense would have required serious consideration."

And the same Appellate Court gave its opinion of the lawyer who was defending Harrison Parker:

"AttorneyFrankel was false to his obligations as an attorney when he filed the brief in question, and he has

proven out of his own mouth, that he is not fit to serve as "a Minister in the temple of justice."

Attorney Frankel was cited before the Chicago Bar Association and acquitted by an unanimous vote of its committee of inquiry; this news was suppressed in the Chicago Tribune: this opinion by the Appellate Court permitted the Chicago Tribune under the privilege of a Free Press to publish the following

[fol. 132] "Parker's 90 day Contempt Term upheld as mild."

Then, the Puritan Church still intent upon preserving the Constitution of Illinois, and upholding the law passed by her legislature, on May 9, 1946, wrote the letter which is set forth in haec verba on Page 3 of this abstract: the answer to that was an Information by William J. Tuohy, the State's Attorney, for Harrison Parker to show cause, why he should not be punished for contempt of court for signing this letter, as the Chancellor of said Puritan Church.

That the numerous jailings of said Harrison Parker and the inflammatory "news" about such jailings, printed in the Chicago Tribune, have caused such a prejudice in the minds of the inhabitants of Cook County, against him, that it is impossible for him to obtain a fair trial: and he cannot obtain anywhere, a lawyer who will defend him in said Courts, in view of the attacks present and future, which the sought lawyers feel will be made upon them in the "news" columns of the Chicago Tribune, and in the opinions of the judges who would uphold the Chicago Tribune in its Constitution and law violations and in its violence to jail the persons who will defy the Chicago Tribune and its Robert R. McCormick, rather than uphold constitutional government on American Soil.

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[fol. 133] EXHIBIT "A"

Hon. Julius H. Miner,
Judge of the Criminal Court,
Chicago, Illinois.

Dear Sir:

The Revenue Act of Illinois, in effect since 1872, and upheld by every Court to which it has ever been submitted, even the U. S. Supreme Court, provides, that all property located in Illinois, like Machinery, Capital Stock, etc., whether owned by an individual or by a corporation like the Tribune Company, is subject each year to a personal property tax.

Schedule II in the enclosed piece of documentary evidence, is the certified balance sheet of the Tribune Company, for the year 1923, which is typical of similar evidence for 65 other years, in the possession of this Church, for use by a grand jury; this Schedule shows, that the Tribune Company for that year, had in its "possession and custody," a large amount of taxable personal property: Schedule I is a certified copy of the books of the Cook County Assessor showing, that for the same year, this taxable personal property of the Tribune Company, was omitted from the tax rolls of Cook County.

The omission of the taxable items from the tax rolls, was in violation of the Constitution of Illinois, the Revenue Act of 1872, and a mandate of the U. S. Supreme Court.

According to the Books of the County Assessor and the County Treasurer for 1923, the Tribune paid a total tax of $39,545.50 upon an assessor's illegal valuation of $550,000; for that year, the Tribune Company paid [fol. 134] its stockholders a cash dividend of $3,300,000, or about 1600% on its paid in capital of $200,000.

Had not the County Assessor omitted from the tax rolls of Cook County, the taxable items in the possession and custody of the Tribune Company, for the year 1923, it would have paid at the same rate which others paid, a personal property tax of $650,000, on a valuation by the rule of the U. S. Supreme Court, of about 60 million dollars, and its stockholders would have re-

ceived for that year, only approximately $2,700,000 as cash dividends on their investment.

The penalty and interest on the omitted taxable items for this year, now amounts to approximately $3,236,772: and the tax is accumulating interest at the rate of 10% per year. The accumulation on all the years for which this Church has similar evidence, is the approximate sum of 100 million dollars; the evidence in the possession of this Church, shows, that the Tribune Company has a hidden surplus of 150 million dollars; so, it is always financially able to pay its debt to Cook County, when the State's Attorney shall start to collect it.

According to the law of Illinois, the tax on an omitted item of taxable property, is never outlawed. There is no provision in the law, for either "settling" or "compromising" any part of the tax due, or the penalty, or the interest on the taxable items omitted from the tax rolls.

This evidence, in this form for 66 consecutive years, was presented to William J. Tuohy, the State's Attorney of Cook County, when as Assistant State's [fol. 135] Attorney of Cook County, he was in charge of the collection of taxes. The law of Illinois is, that, when an omitted item of taxable property is "discovered," the State's Attorney shall (not may) proceed to its collection: this, William J. Tuohy, both as an Assistant, and as the responsible State's Attorney of Cook County has refused to do: this is malfeasance in public office: this under the law, is an indictable offense.

Under the corruption which William J. Tuohy has introduced into government, murder has increased 20%, rape 57% and taxes on Cook County homes have been doubled.

The Protestants who, when led by the Puritans, constitute the majority of voters of Cook County, will not dwell under corruption in the machinery of justice, such as the enclosed evidence discloses.

On this piece of evidence alone, the Puritan Church demands that you proceed, to presenting to the Cook County grand jury, this evidence of a crime in the County of Cook, State of Illinois.

This Church offered in a letter, to exhibit this evidence to the Cook County grand jury. For doing that, Jacob Shamberg, Tuohy's assistant State's Attorney

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in charge of the crooked tax department, had a woman Minister of the Puritan Church, illegally grabbed, tossed into the Cook County Jail, and there "mugged", fingerprinted and otherwise manhandled. Now, by perjury, by an Assistant State's Attorney, the Chancellor of the Puritan Church, in answer to this churches letter to the Cook County grand jury, offering to display to it, the enclosed evidence of a crime, is summoned before [fol. 136] Chief Justice Ward of the Criminal Court, for Contempt of Court: the charge is, writing a letter to the Cook County grand jury and depositing it in the U. S. Mail: this Church is not worrying about the charge.

Very truly your-, The Puritan Church: By Its Chancellor.

This court has attached so much importance to its obviously erroneous opinion in the 374 Ill. 524, which was annulled by the Supreme Court of the U.S.A. in Bridges vs. the State of California and in Pennekamp vs. the State of Florida, that this plaintiff in error, feels that he should discuss it, in the hope that this court will see its error there, and grant a re-hearing in this litigation, which appears to be founded on this obviously erroneous opinion.

When this Court wrote its opinion in 374 Ill. 524, the constitution of Illinois was, as it is today as it has been, since 1870:

"Every person may freely speak, write and publish on all subjects."

(Constitution of Illinois, Article 2, Sec. 4).

"We, the people of the state of Illinois—grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy . . . do ordain and establish this constitution for the state of Illinois."

and of section 3 of Article II of the Constitution of Illinois, which provides:

"The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his religious opinions;"

and of Section 20 of the same Article which says:

> [fol. 137] "A frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty."

There, the Constitution of the U. S. A. was as it is, today:

> "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances."

There, the law of Illinois, on grand jury was, as it is, today:

In People v. Graydon, 333 Ill. 429, commencing at page 431, at page 433 this Court said:

> "The power of the grand jury is not dependent upon the court but is original and complete, and its duty is to diligently inquire into all offenses which shall come to its knowledge, whether from the court, the State's Attorney, its own members or from any source, and it may make presentments of its own knowledge without any instruction or authority from the court. (United States v. Thompson, 251 U. S. 407; People v. Blumenfeld, 330 Ill. 474.) The court cannot limit the scope of the investigation of the grand jury."

There, the same evidence of a serious violation of the law of Illinois, by the Tribune Company was in the archives of the Circuit Court of Illinois, in the archieves of the office of the State's Attorney of Cook County, and in the records of the Supreme Court of Illinois, as it is today.

There, under the certain ultimate protection of the Constitution of the U. S. A. and the Constitution of Illinois, [fol. 138] this plaintiff in error "freely wrote" to the Cook County grand jury, a letter in which that body was informed, that he possessed evidence to prove that the Tribune Company had stolen 100 million dollars from defenseless Cook County, thru a criminal conspiracy between Robert R. McCormick, of the Chicago Tribune, and

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certain faithless tax officials and Judge Harry M. Fisher and Joseph Burke of the Circuit Court of Cook County.

There, as now, the Chicago Tribune groaned under the publicity of the evidence which this plaintiff in error, offered to the Cook County Grand Jury.

There, the Chicago Tribune wanted this plaintiff in error, jailed to stop the agitation of its tax steal from Cook County.

There, as here, the tax officials of Cook County and States Attorney's office were up to their armpits in the tax corruption which infests Cook County, even now. They wanted the plaintiff in error jailed to stop his persistent expose of the Tribune's fraud; so he was called into court not for libel, which he could have defended with, Truth, but for contempt of court.

There, the Information, which dragged this plaintiff in error into the Criminal Court of Cook County, charged him with "writing a letter to the Cook County Grand jury"; there was no other charge in the Information. (see record in the Supreme Court.)

This plaintiff in error alone walked into the Criminal Court of Cook County and proved there, that it was not contempt of court to write a letter to the Cook County Grand jury; so the trial judge sentenced him to 10 days [fol. 139] in the Cook County jail for "obstructing Justice." (see record in the Supreme Court). This plaintiff in error had never heard of the charge of "obstructing justice" until he heard it in the sentence of the trial judge.

Not having had an opportunity in the trial court of defending himself on the charge of "obstructing justice," this plaintiff in error appealed to the Supreme Court of Illinois; there, he defended himself against the charge of "Obstructing justice."

About that time, the "Chicago Free Press" printed a severe criticism of the judicial conduct of the late Norman Jones of Carrollton, Illinois, a Justice of the then Supreme Court of Illinois. Being interested in preserving government by law, this plaintiff in error concluded that public welfare could best be served by distributing a copy of that criticism of Justice Jones, to every one of his neighbors in Carrollton. This was done openly by this plaintiff in error: Justice Jones knew that this plaintiff in error had distributed that newspaper in Carrollton.

Justice Jones was quite disturbed, because this plaintiff in error would dare to do what he did,—criticise a Justice of the Supreme Court of Illinois.

When the appeal of this plaintiff in error, from that sentence of 10 days in the Cook County jail, arrived in the Supreme Court of Illinois, it fell for some reason, directly into the lap of Justice Norman Jones, to write the opinion of the court. As a Justice of the Court, Justice Jones then had an "Open Season" on the man who had distributed among his neighbors the severe criticism of him which had been printed in the "Chicago Free Press." [fol. 140] There was no way in the then Illinois law to sustain the 10 day sentence passed out to this plaintiff in error by that trial judge of Cook County. Then as now.

Justice Jones had no alternative in the record before him, but to reverse the trial court. But undoubtedly distressed by the circulation of the criticism of his Judicial Conduct, he found a charge to a California jury delivered, 50 years ago, by the late Justice Field. In that situation, Justice Jones accepted Justice Field's charge to a California Grand Jury where the law is not the same as the law of Illinois and wrote an opinion based on the California law, to put this Illinois citizen in Cook County jail for ten days. That opinion did not reverse the Supreme Court of Illinois in the *Graydon* case; it made a new law in which writing "inflam-atory letters" to the Grand Jury was made to contempt of court.

That unique opinion overlooked the fact that in the Information the charge was "writing a letter to the Cook County Grand Jury; it overlooked the second and new charge, which the trial judge used as a "peg" on which to hang a sentence of this plaintiff in error; it originated an entirely new and third charge, the writing of inflam-atory letters which had a tendency to obstruct Justice.

The lawyer for this plaintiff in error, in that case, had not preserved the court record as the rules of the U. S. Supreme Court require. Therefore, that appeal Court could not hear an appeal from the judgment of the Illinois Supreme Court. This plaintiff in error had to go to the Cook County jail for ten days, and he did go there.

At the same session of the U. S. Supreme Court, to [fol. 141] which this plaintiff in error appealed for a review of Justice Jones' idea of the law of Illinois, it rendered its now famous opinion in the case of *Bridges* v. *California;*

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it clears up the law on contempt of Court in United States.

It is reasonably certain that should this plaintiff in error, be required by this court to appeal to the United States Supreme Court in this case, he will be accorded the protection of the United States law established in *Bridges* v. *California* and *Pennekamp* v. *State of Florida*.

This plaintiff in error respectfully petitions this court for a re-hearing of its Per Curiam opinion, on the law of Contempt of Court, as it was established by the U. S. Supreme Court in *Bridges* v. *State of California*, and in *Pennekamp* v. *State of Florida* and in the following cases:

In the case of *In re Lester*, 77 Ga. 143 (1886), the Court said:

> "It is the right of any citizen or any individual of lawful age to come forward and prosecute for offenses against the state, or when he does not wish to become the prosecutor, he may give information of the fact to the grand jury, or any member of the body, and in either case, it will become their duty to investigate the matter thus communicated to them, or made known to one of them, whose obligation it would be to lay his information before that body."

In the case of *State* v. *Stewart*, 46 La. Ann. 1164, 14 So. 143 (1893), the Court said:

> "It is complained by the defendant that one S. A. Morgan, the leading state witness, went without summons or request before the grand jury, and gave his [fol. 142] own version of the case against the defendant, and instituted this prosecution. The witness had the undoubted right to go before the grand jury voluntarily and disclose his knowledge of the case. As a good citizen, it was his duty to do so. No one can be excused for withholding knowledge of a crime from the public until he is summoned to give his testimony of its commission."

In *People* v. *Salbar*, 282 Ill. App. 506, at 510, the Court said:

> "In the case of *People* v. *Hille*, 192 Ill. App. 139, the court at page 149, says:
>
> "Before a person can be found guilty of contempt of court it must clearly appear that in committing

the offense complained of he was actuated by some malevolent intention to assail the dignity of the court, or to wilfully and knowingly interfere with its procedure or due administration of justice. There must be a union or joint operation of act and criminal intention. Consequently a person may purge himself of contempt by showing that he acted innocently or through ignorance and without any intention to wrongfully mislead or deceive the court. *Powers* v. *People*, 114 Ill. App. 323; *Kanter* v. *Clerk of Circuit Court*, 108 Ill. App. 287, 305."

In *Hale* v. *Henkel*, 201 U. S. 43, 63 (1906), the Court quotes from *Frisbie* v. *United States*, 157 U. S. 160, 163 (1895), the following:

"It is for the grand jury to investigate any alleged crime, no matter how, or by whom suggested to them."

In *Hale* v. *Henkel*, 201 U. S. 43, 61, the Court said:

"It has been alleged, that Grand Juries are confined in their inquiries, to the bills offered to them to the crimes given them in charge, and the evidence brought before them by the prosecutor. But these [fol. 143] conceptions are much too contracted; they present but a very imperfect and unsatisfactory view of the duty required from grand jurors, and of the trust reposed in them. They are not appointed for the prosecutor or for the court, they are appointed for the government and for the people; and of both the government and the people it is surely the concernment that, on one hand, all crimes whether given or not given in charge, whether described with professional skill should receive the punishment which the law announces."

In the case of *Hott* v. *Yarbrough*, 245 S. W. 676 (Texas) the Court said:

"It is unquestionably the right, if not, in fact, the duty, of everyone who has knowledge of the commission of a criminal offense, punishment to the party guilty whereof is a matter of general public interest, to call to the attention of the Grand Jury the facts within his knowledge to the end that they may have

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proper investigation, and such action as the grand jury may deem advisable. Equally clear is the right of any one who may consider himself aggrieved by the actual or supposed commission of a crime to call the matter to the attention of the grand jury for investigation and action. The law does not restrict the method by which this may be done. But, whenever it is done, by whatever method, so long as it is confined to a communication directly to the grand jury itself or to one of its members acting in his official capacity, it is clearly a part of a judicial proceeding, pertains to the proper administration of criminal justice, is absolutely privileged, and cannot be the basis of a civil action for damages."

"In passing on a somewhat similar situation in *Schenck* v. *United States,* 249 U. S. 47, the Supreme Court, speaking by Justice Holmes, said (P. 82):

[fol. 144] "The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about a substantial interference with the ordinary administration of justice."

And in *Bridges* v. *California,* 314 U. S. 252, the Court, speaking by Mr. Justice Black, said (P. 263):

"What finally emerges from the 'clear and present danger' cases is a working principle that the substantive evil must be extremely serious and the degree of imminence extremely high before utterances can be punished."

This rule was again announced by the Supreme Court of the United States in reversing the Supreme Court of Florida in *Pennekamp* v. *Florida,* or in case N 473, filed June 3, 1946.

Appellate Court of Chicago, No. 43,756, *Gerald L. K. Smith vs. People of the State of Illinois.*

"The basis for punishing the publication as contempt was by the trial court said to be an 'inherent tendency' and by the Supreme Court its 'reasonable tendency' to interfere with the orderly administration of justice in an action before a Court for consideration. In ac-

cordance with what we have said on the 'clear and present' danger cases, neither 'inherent tendency' nor 'reasonable tendency' is enough to justify a restriction of free expression." (*Bridges* v. *California*, 314 U. S. Supreme 273.)

"Moreover, the likelihood, however great, that a substantive evil will result cannot alone justify a restriction upon freedom of speech or the press. The evil itself must be 'substantial', Brandeis, J., concurring in Whitney v. *California, supra, 374; it must be 'serious,' id.* 376. *And even the expression of 'legislative preferences or beliefs' cannot transform minor matters of public inconvenience or annoyance* [fol. 145] *into substantive evils of sufficient weight to warrant the curtailment of liberty of expression. Schneider* v. *State,* 308 U. S. 147, 161.

"What finally emerges from the 'clear and present danger' cases is a working principle that the substantive evil must be extremely serious and the degree of imminence extremly high before utterances can be punished. Those cases do not purport to mark the furthermost constitutional boundaries of protected expression, nor do we here. They do no more than recognize a minimum compulsion of the Bill of Rights. For the First Amendment does not speak equivocally. It prohibits any law 'abridging the freedom of speech or of the press.' It must be taken as a command of the broadest scope that explicit language, read in the context of a liberty-loving society, will allow. • • •

"No purpose in ratifying the Bill of Rights was clearer than that of securing for the people of the United States much greater freedom of religion, expression, assembly, and petition than the people of Great Britain had ever enjoyed. • • • the only conclusion supported by history is that the unqualified prohibitions laid down by the framers were intended to give to liberty of the press, as to the other liberties, the broadest scope that could be countenanced in an orderly society." (*Bridges* v. *California*, 314 U. S. 252, 262-265.) (Italics ours.) • • •

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In *Pennekamp* v. *State of Florida,* in its Opinion, the Court said:

> *"Freedom of discussion should be given the widest range compatible with the essential requirement of the fair and orderly administration of justice."*
>
> *"Free discussion of the problems of society is a cardinal principle of Americanism—a principle which all are zealous to preserve. Murdock* v. *Pennsylvania,* 319 U. S. 105, 115, 63 S. Ct. 870, 876, 891, 87 L. Ed. 1292, 146 A. L. R. 81; *West Virginia State Board of Educa-*[fol. 146] *tion* v. *Barnette,* 319 U. S. 624, 639, 63 S. Ct. 1178, 1186, 87 L. Ed. 1628, 147 A. L. R. 674; *Thomas* v. *Collins,* 323 U. S. 516, 527, 530, 65 S. Ct. 315, 321, 323, 89 L. Ed. 430; *Bridges v. California,* 314, U. S. at page 269, 62 S. Ct. at page 196, 86 L. Ed. 192, 159 A. L. R. 1346."
>
> *"The evil consequence of comment must be 'extremely serious and the degree of imminence extremely high before utterances can be punished.'* 314 U. S. at page 263, 62 S. Ct. at page 194, 86 L. Ed. 192, 159 A. L. R. 146. It was, of course, recognized that this formula, as would any other, inevitably had the vice of uncertainty, 314 U. S. at page 261, 62 S. Ct. at page 193, 86 L. Ed. 192, 159 A. L. R. 146, but it was expected that from a decent self-restraint on the part of the press and from the formula's repeated application by the courts standards of permissible comment would emerge *which would guarantee the courts against interference and allow fair play to the good influences of open discussion."*
>
> "The freedom of speech and of the press secured by the First Amendment against abridgment by the United States is similarly secured to all persons by the Fourteenth abridgment by a State." *Schneider* v. *State,* 308 U. S. 147, 160. (Footnote—*Bridges* v. *California,* 314 U. S. Supreme 263.)
>
> "The first ten amendments to the Constitution safeguard the fundamental rights therein mentioned from every form of unpermitted federal legislation. The due process clause of the Fifth Amendment protects the person against deprivation of life, liberty or property except by due process of law. 'Liberty' is a word of wide meaning, and, without more, would have in-

cluded the various liberties guaranteed by the First Amendment. *De Jonge* v. *Oregon*, 299 U. S. 353, 364, and cases cited; *Grosjean* v. *American Press Co.*, 297 U. S. 233, 243-245; *Near* v. *Minnesota*, 283 U. S. 697, 707; *Pierce* v. *Society of Sisters*, 268 U. S. 510, 534-535. [fol. 147] "But the framers of the Bill of Rights, regarding certain liberties as so vital that legislative denial of them should be specifically foreclosed, provided by the First Amendment:

"'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.'

"The difference between the two amendments is an emphatic one and readily apparent. Deprivation of a liberty not embraced by the First Amendment, as for example the liberty of contract, is qualified by the phrase 'without due process of law'; but those liberties enumerated in the First Amendment are guaranteed with qualification, the object and effect of which is to put them in a category apart and make them incapable of abridgment by any process of law. That this is inflexibly true of the clause in respect of religion and religious liberty cannot be doubted; and it is true of the other clauses save as they may be subject in some degree to rare and extreme exigencies such as, for example, a state of war. * * *

"No one can read the long history which records the stern and often bloody struggles by which these cardinal rights were secured without realizing how necessary it is to preserve them against any infringement however slight. For, as Mr. Justice Bradley said in *Boyd* v. *United States*, 116 U. S. 616, 635, 'illegitimate and unconstitutional practices get their first footing in that way, namely, by silent approaches and slight deviations from legal modes of procedure. * * * It is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon. Their motto should be *obsta principiis.*' "Experience should teach us,' it was said in another case, 'to be most on our guard to protect liberty when

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[fol. 148] the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.' *Olmstead* v. *United States* (dissent), 277 U. S. 471, 479. A little water, trickling here and there through a dam, is a small matter in itself; but it may be a sinister menace to the security of the dam, which those living in the valley below will do well to heed. • • •

"Freedom is not a mere intellectual abstraction; and it is not merely a word to adorn an oration upon occasions of patriotic rejoicing. It is an intensely practical reality, capable of concrete enjoyment in a multitude of ways day by day. • • •

"Do the people of this land—in the providence of God, favored, as they sometime boast, above all others in the plenitude of their liberties—desire to preserve those so carefully protected by the First Amendment; liberty of religious worship, freedom of speech, and of the press and the right as freemen peaceably to assemble and petition their government for a redress of grievances? If so, let them withstand all *beginnings* of encroachment. For the saddest epitaph which can be carved in memory of a vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while yet there was time."

(*Associated Press* v. *National Labor Relations Board*, 301 U. S. 103, 135, dissent, 1936.)

"It is a mistake to suppose that the Supreme Court is either honored or helped by being spoken of as beyond criticism. On the contrary, the life and character of its justices should be objects of constant watchfulness by all, and its judgment subject to the freest criticism. The time is past in the history of the world when any living man or body of men can be set on a pedestal and decorated with a halo. True, many criticisms may be, [fol. 149] like their authors, devoid of good taste, but better all sorts of criticism than no criticism at all. The moving waters are full of life and health; only in the still waters is stagnation and death." (Justice Brewer, of the Supreme Court of the United States, 1898, 15 Nat. Corp. Rep. 849). And see *Pennekamp* v. *State of*

Florida, 66 S. Ct. 1029, especially three special concurring opinions, 1029-50.

"Criticism, therefore, must not feel cramped, even criticism of the administration of criminal justice. Weak characters ought not to be judges, and the scope allowed to the press for society's sake may assume that they are not. No judge fit to be one is likely to be influenced consciously except by what he sees and hears in court and by what is judicially appropriate for his deliberations. However, judges are also human, and we know better than did our forbears how powerful is the pull of the unconscious and how treacherous the rational process." (*Pennekamp* v. *State of Florida*, 66 S. Ct. 1029, 1042).

"Courts and judges therefore cannot be put altogether beyond the reach of misrepresentation and misstatement. That is true in any case, but perhaps more obviously where the judiciary is elective, as it is in most of our states, including Florida. See *Storey* v. *Illinois*, 79 Ill. 45, 52; 22 Am. Rep. 158; (1927) 41 Harv. L. Rev. 254, 255. The question, and the standard, must be one of degree and effects. It cannot be placed at mere falsity, either in representation or in judgment. The statement, whether of fact or of opinion, msst be of such a character, whether true or false, as to obstruct in some clear and substantial way the functioning of the judicial process in pending matters. (*Bridges* v. *California*, 314 U. S. 252, 62 S. Ct. 190, 86 L. Ed. 192; 159 A. L. R. 1346). It is not enough that the judge's sensibilities are affected or that in some way he is brought generally into obloquy. After all, it is to be remembered that it is judges who apply the law of contempt, and the offender is their critic."

[fol. 150] "The statements in question are clearly fair comment in large part. Portions exceed that boundary. But the record does not disclose that they tended in any way to block or obstruct the functioning of the judicial process. Accordingly, I concur in the Court's opinion and judgment." (*Pennekamp* v. *State of Florida*, 66 S. Ct. 1029, 1049-50).

"What is meant by clear and present danger to a fair administration of justice? No definition could give an answer. Certainly this criticism of the judge's inclinations or actions in these pending non-jury pro-

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ceedings could not direcly affect such administration. This criticism of his actions could not affect his ability to decide the issues. Here, there is only criticism of judicial action already taken, although the cases were still pending on other points or might be revived by rehearings. For such injuries, when the statements amount to defamation, a judge has such remedy in damages for libel as do other public servants." (*Pennekamp* v. *State of Florida*, 66 S. Ct. 1029, 1038).

"The judges who tried the contempt cases were the same judges who were criticized by the editorials. The words of caution of Mr. Chief Justice Taft became relevant: 'The delicacy there is in the judge's deciding whether an attack upon his own judicial action is mere criticism or real obstruction, and the possibility that impulse may incline his view to personal vindication *are* manifest.' (*Craig* v. *Hecht*, 263 U. S. 255, 279, 44 S. Ct. 103, 107, 68 L. Ed. 293).

"But the judges who tried petitioners were sensible of the delicacy of their position, and offered to retire from the case if petitioners felt they would prefer to be tried by another judge." (Footnote to *Pennekamp* v. *State of Florida*, 66 S. Ct. 1029, 1039).

"The administration of law, particularly that of the criminal law, normally operates in an environment that is not universal or even general but individual. The distinctive circumstances of a particular case determine whether law is fairly administered in that case, through [fol. 151] a disinterested judgment on the basis of what has been formally presented inside the courtroom on explicit consideration, instead of being subjected to extraneous factors psychologically calculated to disturb the exercise of an impartial and equitable judgment.

"If men, including judges and journalists, were angels, there would be no problems of contempt of court. Angelic judges would be undisturbed by extraneous influences and angelic journalists would not seek to influence them. The power to punish for contempt, as a means of safeguarding judges in deciding on behalf of the community as impartially as is given to the lot of men to decide, is not a privilege accorded to judges. The power to punish for contempt of court is a safeguard not for judges as persons but for the function

which they exercise." (*Pennekamp* v. *State of Florida*, 66 S. Ct. 1029, 1047).

In *Pennekamp* v. *State of Florida*, the Court in its Opinion said:

"Respect for courts is not inspired by shielding them from criticism. This is a responsibility of the judge, acquired over the years by the spirit in which he approaches the judicial process, his ability to humanize the law and square it with reason, the level of his thinking, the consistency of his adherence to right and justice, and the degree to which he holds himself aloof from blocs, groups, and techniques that would sacrifice justice for expediencey.

"Judges should be foremost in their vigilance to protect the freedom of others to rebuke and castigate the bench and in their refusal to be influenced by unfair or misinformed censure. Otherwise freedom may rest upon the precarious base of judicial sensitiveness and caprice. And a chain reaction may be set up, resulting in countless restrictions and limitations upon liberty."

"Respect to courts cannot be compelled; it is the [fol. 152] voluntary tribute of the public to worth, virtue, and intelligence, and w-ilst they are found upon the judgment seat, so long and no longer will they retain public confidence." (Illinois Supreme Reports, *Storey* v. *People of the State of Illinois*, Vol. 79, at Page 49.)

"For free speech and fair trials are two of the most cherished policies of our civilization, and it would be a trying task to cho-se between them." (*Bridges* v. *California*, 314 U. S. Supreme 260.)

"No purpose in ratifying the Bill of Rights was clearer than that of securing for the people of the United States much greater freedom of religion, expression, assembly and petition than the people of Great Britain had ever enjoyed. * * * the only conclusion supported by history is that the unqualified prohibitions laid down by the framers were intended to give liberty of the press, as to the other liberties, the broadest scope that could be countenanced in an orderly society." (*Bridges* v. *California*, 314 U. S. Supreme 265.)

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On page 1 of its opinion this court said:

> "He Harrison Parker (meaning this plaintiff in error), admitted the signing of the letter but asserts that he signed it only in his capacity as an officer of the Puritan Church. He denied that his letter was contemptuous and insisted that it was composed by the Puritan Church and was deposited in the mail in the furtherance of Church duties, and in the exercise of his constitutional rights of freedom of speech and freedom of religion. Any intention of showing contempt of court is disavowed, and it pointed out that the letter contained no vicious and inflammatory language".

In his amended answer this plaintiff in error denied specifically, that he had either composed the letter or deposited it in the U. S. Mail, as charged in the Information; [fol. 153] he admitted signing it as an Officer of the Puritan Church in the discharge of his ecclesiastical duties.

In *The People* v. *Seymour*, 272 Ill. 295, at 301, this Court said:

> "In a case where the proceeding for contempt is for acts committed, not in the presence of the court and not in furtherance of the remedy sought in a suit or in enforcement of the orders or decrees of the court but to maintain the authority of the court and uphold the administration of justice, if the party should answer denying the alleged wrongful acts his answer is conclusive and he is entitled to his discharge. (*Crook* v. *People*, 16 Ill. 534; *Buck* v. *Buck*, 60 *id.* 105; *People* v. *Diedrich*, 141 *id.* 665; *Oster* v. *People*, 192 *id.* 473).

In *People* v. *McDonald*, 314 Ill. 548, and *Early* v. *The People*, 117 Ill. App. 608, are to be found statements of the law to similar effect.

In *Storey* v. *The People*, 79 Ill. 45, the Court said:

> "We do not understand the articles as having a tendency directly to impede, embarrass or obstruct the grand jury in the discharge of any of its duties remaining to be discharged after the publications were made. No allusion is made to any matter upon which the members were thereafter to act, and there could, therefore, of necessity, be no attempt to interfere with the

exercise of their free and unbiased judgments as to such matters. No attempt is made to induce disobedience in officers or witnesses, and it does not appear that any direct interference with the administration of the law was in contemplation. All that it would seem could be claimed is, that the publications would cause disrespect to be entertained by the public for the grand jury, and for its action in the particular cases criticised, and thereby tend, to that extent, to bring odium upon the [fol. 154] administration of the law. That this is a grave offense, deserving of prompt and severe punishment, might be conceded, without, in the slightest degree, strengthening the position that it may be treated and punished as a contempt of court. The law presumably, provides an adequate punishment and mode of procedure to protect society against all offenses, and neither the magnitude of a crime, nor the probability of its frequent repetition, has ever been held to authorize the courts to depart from the mode of trial prescribed by the law, or to impose a different punishment from that which it sanctions."

The law of Illinois established by its Supreme Court in the above cited cases, has never been repealed, annuled or modified by either this court or any other, or by the Illinois legislature; it is still the law of Illinois; it applies to the citizens of Illinois, including this plaintiff in error. Under this law this honorable court has no alternative but to reconsider its opinion and reverse the trial unless in its opinion it can point out in the record, some proof, which it cannot, that this plaintiff in error, had intended to commit contempt of Court by signing the letter of the Puritan Church calling for law enforcement.

The record before this court, shows that this plaintiff in error, was upholding the dignity of the Court by upholding the dignity of the government; he was not obstructing justice, as the trial judge, without a word of proof, in the record, alleged in the jail committment order, as a "peg" on which to hang a jail sentence on this plaintiff in error.

In *People* v. *Salbar*, 282 Ill. App. 506 at 509, the Court said:

[fol. 155] "We hold the reasonable and just rule to be, that the order of commitment should state the facts or

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conduct constituting the contempt, and that where no statement as to the nature of the acts or words of the defendant is made in the order, the same should be reversed. In other words, where a direct review of such summary judgment is given by law, it is the duty of the court that makes the order, said order constituting the entire record, to set out fully in the commitment in what the contempt consisted, in order that the Appellate Court can see from the order, whether the judgment is warranted."

In *People* v. *Sherwin*, 354 Ill. 371 at 374, this Court said:

"The order adjudging a contemnor guilty must set out the facts constituting the contempt with sufficient definiteness and certainty to show that the court was authorized to make the order. *People* v. *Rockola*, 346 Ill. 27; *People* v. *Hogan*, 256 *id.* 496."

The Court should grant a re-hearing and reverse the trial judge on the two following errors, if for no other reason.

In conformity with the law of Illinois, and the rules of the Criminal Court of Cook County, this plaintiff in error, presented to the trial Judge, his orderly legal petition for a change of venue: this the trial judge denied;

To sustain that the trial court's cruel sentence of six months in the Cook County jail, for signing the letter of the Puritan Church to the grand jury, this court finds a temporary refuge in *People* v. *Doss*, 382 Ill. 307. It is not in point.

There, the trial court granted Doss the one change of [fol. 156] venue to which he was entitled by law; it denied his petition for a second change of venue, to which he was not entitled by law. This court sustained the denial of his second petition for a change of venue, as it should have.

This plaintiff in error asked but one change of venue; it was denied by the trial judge; it should have been granted; to have denied it as the trial judge did, was and is reversible error.

This court should grant a re-hearing and reverse the trial judge on this point if not on others.

The other error on which this court should grant a rehearing and reverse the trial judge is as follows:

The Constitution of Illinois, Section 9, Article 2, is as follows:

> "In criminal prosecutions the accused shall have the right to appear and defend in person and by counsel." (Sec. 9, Art. 2, of the Constitution of Illinois, 1870.)

In derogation of the constitutional right guaranteed to this plaintiff in error by the above section of the Illinois Constitution he had to stand in a court of justice and listen to a trial judge in the following Colloquy:

"The Court: You want a lawyer.

Mr. Parker: I do want a lawyer: this is an important matter.

The Court: All right. The Court will appoint Mr. Charles A. Bellows.

Mr. Parker: I do not want Mr. Bellows. I protest against Mr. Bellows.

Mr. Rembe: You will have to accept the Court's appointment.

[fol. 157] Mr. Parker: No, I don't have to.

The Court: You say you don't want the Public Defender?

Mr. Parker: I won't have the Public Defender: there is no use trying to rush me: this is going to the U. S. Supreme Court: I am entitled to the same rights as any other citizen: I am fighting for the public rights.

The Court: We will appoint Mr. Bellows.

Mr. Parker: I don't want him: I protest against him.

Mr. Rembe: You will have to accept the appointment of Mr. Bellows.

The Court: We will continue it, till July 29th, for pleading, answering, or demurring.

Mr. Parker: I do not want Mr. Bellows.

The Court: Tell Mr. Bellows he has been appointed.

Mr. Parker: I am a citizen of the United States: my constitutional rights are being violated here: I won't permit it: I do not fear this State's Attorney: we have evidence of the corruption of the State's Attorney.

The Court: It is all settled now.

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Mr. Parker: It is not settled: I protest: under the Constitution of Illinois, I am entitled to my own lawyer: I have told you, that he will answer on the 27th.

The Court: Then, in the meantime, Mr. Bellows will represent you.

Mr. Parker: He won't represent me.

The Court appoints Charles A. Bellows as counsel for said Harrison Parker.

The Court: Notify Mr. Bellows to represent him.

Mr. Parker: No, he won't represent me.

Charles A. Bellows files his appearance: cause continued until August 5th, 1946.

Mr. Bellows: I have always been under the impression that Mr. Parker was a man of means. I thought a reasonable fee for the services in this kind of a case would be five thousand dollars. He says that he hasn't [fol. 158] got that kind of money. If your Honor wants, I will stay in and represent him. If he has money, he ought to pay.

The Court: No question about it. I am sure you won't have any trouble working out some kind of an arrangement here, for the defendant to pay you a reasonable fee." (Abstract.)

"The Court: Harrison Parker is guilty of contempt of court, and it is ordered, that because of said contempt he be committed to the County Jail of Cook County Illinois for the term of ——, have you any recommendation?

Mr. Rembe: (The assistant State's Attorney who wanted this plaintiff in error jailed, to stop his agitation of the Chicago Tribune's tax steal.) I suggest six months.

The Court: For the term of six months.

Mr. Parker: I would like to argue that with your Honor. I have not admitted anything. I want the record to show, that I have not been allowed to defend myself on this charge.

The Court: What about the bail?

Mr. Parker: We have agreed to $1,000.

The Court: A thousand dollars is not enough.

Mr. Parker: We agreed to that.

The Court: The Court is willing to consider a thousand dollars, if there is any assurance on the part of the respondent here, that he is going to cease his actions in trying to embarrass this Court.

Mr. Parker: If I do anything your Honor can sentence me again, but I should not be stopped by a threat.

The Court: If you write any more letters to this Court in reference to any pending matters, there will be another Information filed herein.

Mr. Rembe: As far as appeal is concerned, he suggested a licensed bondsman.

Mr. Parker: He has agreed to a thousand dollars and suggested to me, that I have the bondsman in the Courtroom for it now.

[fol. 159] The Court: It fixes the bond at $1,000.

Mr. Rembe: Except it might be a good idea to set it at $5,000, if he is going to have a licensed bondsman.

Mr. Parker. He has agreed.

The Court: Bail fixed at $1,000.

Mr. Parker: I want the record to show, that all of my constitutional rights have been violated in this Courtroom, and that I have not had the privilege of defending myself.

(Which were all the proceedings had and the findings and judgment of the Court in the above entitled cause.)

Thus the trial Judge in a matter where a sentence of 6 months in the Cook County Jail was meted out, was persecutor, judge and jury and capped the climax, by appointing his selection as lawyer for the plaintiff in error; the lawyer wanted to mulct this plaintiff in error of, $5,000.

Will this honorable court tolerate such depravity in a trial court?

The Supreme Court of the U. S. A. has repeatedly held that "impeding", "embarrassing," and "obstructing" justice cannot be just alleged, in the jail committment order, as a "peg" on which to hang a contempt of court jail sentence; the charge must be proven in the record.

Nowhere in the record, now before the eyes of the court, either in Information, or in the court record, is there a single allegation, or a single word to prove that this plaintiff in error, either impeded, embarrassed or ob-

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structed the trial court—in the due administration of Justice.

[fol. 160] In the order of jail committment the trial Judge merely alleged that charge, as an excuse for the six months sentence which he imposed upon this plaintiff in error, for his idea of Contempt of Court.

This honorable court should either point out in its opinion wherein justice was impeded, embarrassed, obstructed or it should reconsider its opinion and reverse the trial judge, on his error alone, if not for the other errors.

If there were not other serious errors in this court record for which this court should — this trial Judge, he should be reversed on this obvious error alone.

The Constitution of the U. S. A. forbids the infliction of cruel and unusual punishment.

For signing, to the Cook County Grand Jury, a letter of the Puritan Church, in which that law enforcement body was informed, that the Puritan Church had evidence of crime in Cook County, the trial Judge meted out to this plaintiff in error, a sentence of 6 months in the Cook County jail.

At the same session of the Criminal Court of Cook County where this plaintiff in error was standing in "Criminal Dock, the same trial judge, by a 'deal' " with William J. Tuohy, the State's Attorney of Cook County, upon a plea of guilty, to the charge of "Assault with intent to commit murder", sentenced Matt Breen, ex-convict and professional labor "Slugger" to one month in the same Cook County jail to which this plaintiff in error was sentenced for six months for signing a letter of the Puritan church.

[fol. 161] Should not the severity of the sentence of this plaintiff in error, in this case, cause this court to reconsider its opinion.

If a jail sentence of this plaintiff in error, should be considered necessary to uphold the dignity of the courts should not the sentence of the plaintiff in error, be reduced from six months to one month, in order that signing a letter to a grand jury might not be considered a crime more heinous that "Assault with intent to commit murder", by a professional labor "Slugger".

XIV

Canons of Judicial Ethics

Adopted by the American Bar Association February, 1947

"Rule 29. Self Interest.

A judge should abstain from performing or taking part in any judicial act in which his personal interests are involved.

Under the above Canon of Ethics of the American Bar Association, Justices Gunn, Stone, Wilson and *Fulton* of the Superior Court of Illinois, might be disqualified to pass on a jail sentence of this Plaintiff-in-error.

At this minute, there is pending before the Chicago Bar Association, a complaint by the Puritan Church signed by its Chancellor, this plaintiff-in-error, to impeach and disbar Justices Gunn, Stone and Wilson, for abusing the processes of justice, in case numbered 24881, reported in 373 Ill. 243, 420; it was filed to compel the taxing officials [fol. 162] of Cook County to list and assess the taxable personal property listed on its Balance Sheets of the Tribune Company, but not listed and assessed on the books of the Cook County Assessor.

When Justice Fulton denied the motion of this Plaintiff-in-error, for a review by the Supreme Court of Illinois, of another sentence of three (3) months in the Cook County Jail, on the ground that no constitutional questions were involved in such an appeal, this Plaintiff-in-error, denounced Justice Fulton to Mr. Smith in the office of Justice Wilson in Chicago; since he has denounced Justice Fulton, from the Puritan Pulpit at LaGrange.

On account of the importance of the opinion in this case, should not the petition for a rehearing be held, until there shall be on the Supreme Court three Justices who have not been criticized either by the Plaintiff-in-error, Harrison Parker, or by the Puritan Church.

"In the noble words, penned by John Adams, of the First Constitution of Massachusetts: 'It is essential to the preservation of the right of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and

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administration of justice. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit." (*Pennekamp* v. *State of Florida*, 66 S. Ct. 1039, 1041).

"The delicacy there is in the judge's deciding whether an attack upon his own judicial action is mere criticism or real obstruction, and the possibility that impulse may incline his view to personal vindication *are* manifest. *Craig* v. *Hecht*, 263 U. S. 255, 279, 44 S. Ct. 103, 107, 68 L. Ed. 293 (concurring)."

Pennekamp v. *State of Florida*, 66 S. Ct. 1029.

"It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit."

[fol. 163] Conclusion

Since Weymouth Kirkland in his office at 33 No. La Salle St., in person told this plaintiff in error that:

"Robert R. McCormick controlled all the Courts of Illinois, from the Municipal up to and including the Supreme Court of Illinois: that said McCormick controlled the State's Attorney of Cook County; that said McCormick was a dangerous man to mix with in the court; that said Harrison Parker would be defeated in every piece of legislat*ure* in which he might engage in Courts of Illinois",

this plaintiff in error has been jailed, upon the order of the Tribune law firm, four times; once for 4 months, by the Appellate Court of Chicago; once for 10 days by the order of Supreme Court of Illinois; once by the order of Circuit Court of Cook County, and once by the order of the Criminal Court of Cook County. He may be jailed again. But there is not —the recorl before this court, or anywhere else, any evidence to prove that this plaintiff in error has ever violated a law of God or man. In asserting the Truth about Robert R. McCormick and his Chicago Tribune and the Tribune lawyers he may have wounded the feelings of a judge, who as judge and jury, called it contempt of court; but the Supreme Court of the U. S. A. found that it is not contempt of court to offend the per-

sonal feelings of a judge, unless the offense be committed in the presence of the judge.

Six months more in the Cook County Jail, for signing a letter of the Puritan Church to the foreman of the Cook County Grand Jury will not deterr this Puritan plaintiff in error, in the exercise of his religion, nor will it stop the Puritan Church from petitioning its government to redress its grievances against the Tribune Company.

[fol. 164] The Puritans *is* a peculiar sect they abandoned their estates in England, to brave the terrors of the ocean and the unknown wilds of America, to establish on American soil a Government by law, under which they could exercise Freedom of Speech, Freedom of Religion, Freedom to criticize Courts, Freedom to compel a newspaper to observe constitution and law which protects courts, newspapers and all the rest of us.

With their mother's milk, these Puritans imbibe the doctrine, that the beginnings of human slavery, are in the un-noticed of violations of constitutions and the un-heeded violations of the law, by the opulent, the lawless and the politically powerful.

Better Puritans than this plaintiff in error, risked their lives on the battle fields of Concord, Bunker Hill and Valley Forge, to establish on American soil a government by law, to protect—Freedom of Speech and Freedom of Religion. This Puritan would be a puny thing, if he were not willing to risk his hide in jail for 6 months, in an effort to uphold the form of government, which his direct sires risked their lives to establish.

A Puritan risked his neck to utter these words:

"If this be treason make *make* the best of it."

This Puritan, plaintiff in error, respectfully says, that, if, in order to put him in jail for six months, where he cannot agitate the disgraceful and apparent law violation of the Tribune Company, this honorable court in the administration of Justice, shall decide to dig into the dead past and resurrect from it, a fifty year charge to a California grand jury, and use that as a peg on which to hang a jail sentence, rather than to release him upon the law [fol. 165] of Illinois of today, as it was stated in the charge to an Illinois grand jury by Harold G. Ward, Chief Justice of the Cook County Grand Jury, who had ordered this

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plaintiff in error in jail for six months, for following the exact rule of Illinois law, which is stated in Judge Ward's charge to the Cook County Grand Jury; if it be contempt of court to alarm a grand jury of the constitution and law violations which are shown in the record of this case, to have been committed by the Tribune Co., to obtain the money with which to pay its stockholders a cash dividend of 1650% in a single year, at the expense of the other tax payers of Cook County, who had to pay additional and almost confiscatory taxes to enable the Tribune Company to pay its stockholders, such an unconscionable dividend, this plaintiff in error will have to make the best of the Cook County jail until he shall be released from it, at the end of the six months period.

> "The symbol of justice as a blind goddess holding the scales evenly balanced is well modified in practical life by substituting for the goddess the person of the ideal judge. He is disinterested, save in the interests of justice itself; he is impartial; he is concerned only with arriving at truth; he is advocate of neither side, and will grant no indulgence to one party which he denies to the other. He is not a figure-head, nor is he simply a moderator. A judge is not placed in that high situation merely as a passive instrument of parties. He has a duty of his own independent of them, and that duty is ti investigate the truth. (Burke, in Trial of Warren Hastings, 31 Par. Hist. 348.)

In the case of *Powers* v. *The People*, 114 Ill. App. 323 at 328, this Court said:

> "As early as 1842 Mr. Justice Breese in *Stuart* v. *The People*, 3 Scam. 395, uttered these memorable words 'It (the power to punish for contempt of court) [fol. 166] may be so frequently exercised as to destroy that moral influence which is their best possession, until finally the administration of justice is brought into disrepute. Respect to courts cannot be compelled; it is the voluntary tribute of the public to worth, virtue and intelligence; and while they are found upon the judgment seat, so long and no longer will they retain the public confidence. • • • It is at best an arbitrary power and should only be exercised on the

preservative and not on the vindictive principle. It is not a jewel of the court to be admired and prized, but a rod rather, and most potent when rarely used.' The order appealed from is reversed."

In the case of *Miller Arnold* v. *The State*, the great Frederick in reversing the Supreme Court said:

"Let the King's judges bear in mind, that the least peasant, yea, what is still more, that even a beggar, is, no less than his Majesty, a human being, and one to whom due justice must be meted out. All men being equal before the law, if it be a prince complaining against a peasant, or vice versa, the prince is the same as the peasant before the law; and on such occasions, pure justice must have its course, without regard to the person. Let the law courts, in all the Provinces, take this for their rule.

"And whenever they do not carry out justice in a straight forward manner, without regard of person and rank, but put aside natural fairness, then they shall have to answer to his Majesty for it: For a court of law doing injustice is more dangerous and pernicious than a band of thieves; against these one can protect oneself; but against rogues who make use of the cloak of justice to accomplish their evil passions, against such no man can guard himself. Those are worse than the greatest knaves the world contains, and deserve double punishment."

[fol. 167] (History of Frederick the Great, Thomas Carlyle, Charles Scribner 1898, Vol. VIII, page 239.)

In commenting on the great Frederick's opinion, the philosophic Carlyle said, that if all the books in the world were destroyed, and his opinion and the Sermon on the Mount (Abst. 25, 26) alone remained, these two documents would start a new civilization greater than ours.

Respectfully submitted, Harrison Parker, *Pro Se.*

[fol. 168] IN SUPREME COURT OF ILLINOIS

[Title omitted]

ORDER OVERRULING PETITION FOR REHEARING—September 15, 1947

And now, on this day, the Court having duly considered the petition for rehearing filed herein, and being now fully advised of and concerning the premises, doth overrule the prayer of the petition and denies a rehearing in this cause.

[fol. 169] Clerk's Certificate to foregoing transcript omitted in printing.

[fol. 170] SUPREME COURT OF THE UNITED STATES

ORDER ALLOWING CERTIORARI—Filed January 5, 1948

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted, and the case is consolidated with No. 270 for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

FILE COPY

Office - Supreme Court, U. S.
FILED
NOV 5 1947
CHARLES ELMORE CROPLEY
CLERK

IN THE

Supreme Court of the United States

NOVEMBER TERM, A. D. 1947.

No. 428

HARRISON PARKER,
Petitioner,

vs.

PEOPLE OF THE STATE OF ILLINOIS,
Respondent.

PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE UNITED STATES AND BRIEF IN SUPPORT THEREOF

HARRISON PARKER
Pro Se.

Schaffer Printing Company, Del. 7171

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IN THE

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HARRISON PARKER,

Petitioner,

vs.

PEOPLE OF THE STATE OF ILLINOIS,

Respondent.

PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE UNITED STATES

MAY IT PLEASE THE COURT:

Petition of Harrison Parker respectfully shows to this Honorable Court:

A.

Summary Statement of the Matter Involved.

1. Petitioner, as Chancellor of the Puritan Church, wrote a letter to the foreman of the Cook County Grand Jury on May 9, 1946, in which it was claimed that the Church had documents in its possession substantiating the Church's charge that The Tribune Company had violated the law, in that it had connived with a certain political organization to avoid payment of taxes amounting to $100,000,000.00 (Abst. 2).

2. An Information was thereupon filed by the State's Attorney, charging petitioner with Contempt of Court. Petitioner filed a Motion to Quash the Information, setting forth that the Information did not charge a crime, and that his writing of the letter was protected by the Constitution of the United States (Abst. 7). Petitioner then filed a petition for change of venue (Abst. 5) which was denied, and later an answer (Abst. 61). These two pleadings set forth that petitioner had first appealed to Governor Green and then to successive Chief Justices of the Criminal Court of Cook County, to Thomas J. Courtney, State's Attorney of Cook County and later to his successor, William J. Tuohy, and also to the Board of Tax Appeals in order to apprise these officials of the violation of law and conspiracy which was the subject matter of the letter to the Grand Jury, and it was only after these appeals had been ignored that the letter involved in this case was sent, and that, at the time it was mailed, there was not pending before the Grand Jury any matter in which either the Puritan Church, the petitioner or The Tribune Company had any direct or indirect interest.

3. Thereupon the Court found petitioner guilty of Contempt of Court and sentenced him to be committed to the County Jail for a term of six months.

Stage of Proceedings
At Which Federal Questions Were Raised.

1. (a) The Constitutional questions raised herein were first raised by petitioner in the Trial Court by his motion to quash the Information (Abst. 7).

(b) Upon the overruling of the motion, petitioner filed an answer in which he again raised these same questions (Abst. 61).

(c) From the judgment of the Trial Court, petitioner appealed directly to the Supreme Court of Illinois and by his Assignment of Errors raised the same Federal questions.

Jurisdiction.

1. A final judgment has been entered by the highest Court of Illinois.

2. Jurisdiction of this Court is invoked under Judicial Act, Section 237b, as amended (344 (g) Title 28 of U. S. C. A.).

3. The following cases, among others, are believed to sustain the jurisdiction of this Court:

Schneider v. *Irvington*, 308 U. S. 147.
Bridges v. *California*, 314 U. S. 266.
Truax v. *Corrigan*, 257 U. S. 312.

4. The judgment of the Supreme Court of Illinois was entered on the 22nd day of May, 1947, and petition for rehearing was filed by petitioner and rehearing was denied on the 15th day of September, 1947. Thus the date of the judgment to be reviewed is the 15th day of September, 1947.

5. The Supreme Court of Illinois dealt with the constitutional questions as follows:

> "Defendant's defense is built on the theory that the letter was written, signed and directed to the foreman of the grand jury in the exercise of the constitutional rights of freedom of speech and freedom of religion. These constitutional guaranties were never intended to, and do not constitute a license to engage in conduct tending to obstruct the administration of justice (*People* v. *Doss*, 382 Ill. 307). Defendant cannot avail himself of the constitution as a shield behind which to hide his contemptuous conduct."

Question Involved.

The constitutional question involved is:

1. May a State Court imprison a citizen for voluntarily advising the Grand Jury of information touching upon an alleged crime, where the matter is not pending before the Grand Jury and the citizen has already appealed in vain to the law enforcement officers of the State for an investigation of the alleged offense?

Opinion of the Court Below.

Docket No. 29894—Agenda 13—January, 1947.

The People of the State of Illinois, Defendant in Error, v. *Harrison Parker, Plaintiff in Error.*

Per Curiam: The defendant, Harrison Parker, was adjudged guilty of criminal contempt in the criminal court of Cook county. He was sentenced to imprisonment in the county jail for six months. This writ of error is brought on the ground, among others, that the judgment infringes defendant's constitutional rights of freedom of speech and freedom of religion.

The information charged Parker with composing, signing and mailing a letter to the foreman of the Cook county grand jury, which had just been convened. The letter was set out *haec verba* in the information. Motions for change of venue and to quash the information were overruled. In his amended answer Parker admitted the signing of the letter, but asserts that he signed it only in his capacity as an officer of the Puritan Church. He denied that the letter was contemptuous and insisted that it was composed by the Puritan Church and deposited in the mails in the furtherance of church duties, and in the exercise of the

constitutional rights of freedom of speech and freedom of religion. Any intention of showing contempt of court is disavowed, and it is pointed out that the letter contained no vicious and inflammatory language.

In substance the letter charged that the Tribune company and a certain political machine had connived together to steal one hundred million dollars from Cook county, in the form of unpaid taxes and penalties. It further charged that stockholders in the company had received huge sums of money in the form of dividends, on which no taxes had been assessed or paid. The letter concluded with an offer to appear before the grand jury and produce evidence in support of the accusations.

The defendant has been previously convicted of contempt of court for addressing voluntary communications to the grand jury of Cook county. That conviction was sustained by this court. (*People* v. *Parker*, 374 Ill. 524.) The subject matter of the letter in this case is strikingly similar to the subject matter of the letters addressed to the grand jury and considered in the former case. Accusations of stealing one hundred million dollars by tax evasion are directed toward the same publishing company, its stockholders, and certain public officials. The principal difference is that the letter in this case is not couched in the same vicious and inflammatory language that characterized the previous communications to the grand jury. By tempering the tone of his accusations, Parker seeks to escape the rule which forbids communicating with the grand jury, except through recognized lawful channels. This he cannot do. In our former decision we quoted with approval the language of Mr. Justice Field and adopted the rule laid down by him. What we said there applies with equal force to this case. The obvious purpose of

communicating with the foreman of the grand jury was to incite the grand jury into action against those accused in the letter. The grand jury was invited to call for the production of evidence which the communication stated was in the possession of the Puritan Church. This was an unofficial volunteer communication to the grand jury, inviting them to start, on their own authority, a prosecution against those accused in the communication. The sending of a communication, such as that set out in the information, to the foreman of the grand jury constitutes contempt of court. (Wharton on Criminal Practice and Pleading, 8th ed., sec. 307.) Since the letter was incorporated in the information and shows on its face that the writer is in contempt of court, the trial court properly overruled the motion to quash the information.

Defendant contends that the court erred in overruling his petitions for change of venue. One petition was for a change of venue from two of the judges of the criminal court, while a second petition was for a change of venue from Cook county. The petition for change of venue on account of prejudice of two of the judges does not come within the provisions of the venue statute in contempt proceedings. (Ill. Rev. Stat. 1945, chap. 146, par. 21a.) The right to change of venue is statutory, and the applicant must bring himself within the statutory requirements. (*People* v. *Doss*, 382 Ill. 307.) No other provision for change of venue in contempt cases appears in the statute. Contempts are *sui generis* the general statute pertaining to change of venue in criminal cases. *People* v. *Doss*, 382 Ill. 307; *People ex rel. Rusch* v. *Kotwas*, 363 Ill. 336.

The petition for change of venue from Cook county is not set out in the abstract. An affidavit attached to the petition covers more than thirty pages of the abstract. Whether or not prejudice exists in the minds of inhabitants of a county is a question of fact, to be determined in the sound discretion of the trial judge. (*People* v. *Touhy*, 361 Ill. 332.) While the affidavit filed in support of the petition contained many wild and scandalous charges against certain individuals and public officials, it utterly failed to include any facts from which it might be reasonably inferred that the inhabitants of the county had been influenced against defendant. The court did not err in overruling the petitions for change of venue.

Defendant's defense is built on the theory that the letter was written, signed and directed to the foreman of the grand jury in the exercise of the constitutional rights of freedom of speech and freedom of religion. These constitutional guaranties were never intended to, and do not, constitute a license to engage in conduct tending to obstruct the administration of justice. (*People* v. *Doss*, 382 Ill. 307.) Defendant cannot avail himself of the constitution as a shield behind which to hide his contemptuous conduct.

Other contentions of defendant are the same as those raised in his former case. There is no occasion for this court to change the views therein expressed. *People* v. *Parker*, 374 Ill. 524.

The judgment will be affirmed.

Judgment affirmed.

Reasons Relied On for Allowance of the Writ.

Your petitioner respectfully suggests the following reasons relied on for the issuance of the Writ:

1. The decision of the Supreme Court of Illinois deprives petitioner of his liberty without due process, in contravention of the First and Fourteenth Amendments.

The State Court necessarily held that a citizen cannot come before the only body in the State empowered to initiate prosecutions for felonies, and complain of the commission of a crime affecting himself and all other taxpayers of the County, which holding denied the petitioner his right to petition for redress of grievances and his right of free speech.

Petitioner raised the constitutional questions herein in the first instant in the Trial Court by Motion to Quash the Information and later by a Petition for Change of Venue and an Answer, and later raised these same questions in the Supreme Court of Illinois.

Wherefore, Harrison Parker, your petitioner, respectfully prays that a writ of certiorari be issued out of and under the seal of this Honorable Court, directed to the Supreme Court of Illinois, commanding that court to certify and send to this Court for its review and determination, on a day certain to be therein named, a full and complete transcript of the record and all proceedings in the case as numbered and entitled on its docket, and that said order of the Supreme Court of Illinois may be reversed by this Honorable Court and that your petitioner may have such other and further relief in the premises as to this Honorable Court may seem meet and just, and your petitioner will ever pray.

HARRISON PARKER,
Petitioner.

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IN THE

Supreme Court of the United States

NOVEMBER TERM, A. D. 1947.

HARRISON PARKER,

Petitioner,

VS.

PEOPLE OF THE STATE OF ILLINOIS,

Respondent.

BRIEF IN SUPPORT OF PETITION FOR CERTIORARI

I.

Opinion of the Court Below.

The opinion of the Supreme Court of Illinois appears in full on page 4 of the petition submitted herewith.

II.

Jurisdiction.

This subject is treated on page 3 of the petition for a writ of certiorari submitted herewith.

III.

Statement of the Case.

Petitioner was adjudged in Contempt of Court because he signed as its chancellor, a letter of the Puritan Church to the foreman of the Grand Jury, claiming to have evidence of a crime. Previously the Puritan Church had written to the State's Attorney, the Governor

and the Chief Justices of the Criminal Court claiming to have evidence of a crime without receiving an answer. In its letter the Puritan Church charged a conspiracy between a political organization and The Tribune Company to avoid payment of taxes by The Tribune Company.

IV.

Summary of Argument.

Point 1.

A citizen has a constitutional right to inform the Grand Jury of facts he believes constitute a violation of law where he has already appealed in vain to the prosecutor and the Court:

Vogel v. *Gruaz*, 110 U. S. 311.
In re Lester, 77 Ga. 143.
Worthington v. *Scribner*, 109 Mass. 487.
Brach v. *Wells*, 480 Atl. 2nd 319.
King v. *Second National Bank & Trust Co.*, 234 Ala. 106.
Wilson's Works (Andrew's Edition 1896, p. 213).
Hott v. *Yarbrough*, 112 Texas 179.
Thomas v. *Collins*, 323 U. S. 516.
Hale v. *Henkel*, 201 U. S. 43.
State v. *Stewart*, 46 La. Ann. 1164.

V.

Argument.

A citizen has a constitutional right to inform the Grand Jury of facts he believes constitute a violation of law where he has already appealed in vain to the prosecutor and the Court.

In another case, also originating in the courts of Illinois, this Court has had occasion to state:

"The avenue to the Grand Jury should always be

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free and unobstructed. Bricher might have gone directly before it without consulting Mr. Cook (the state's attorney), but if he chose to consult him instead of private counsel, there was great propriety in his doing so" (*Vogel* v. *Gruaz*, 110 U. S. 311, 315).

The right of a citizen to advise the Grand Jury of violations of law naturally follows from the principle that the Grand Jury is not limited to consideration of bills presented to it by the court and prosecutor, but may inquire into all matters that invite its attention. Justice Wilson, in discarding the theory that Grand Jurors are limited to evidence presented by a prosecutor, expressed his view of the Grand Jury as follows:

> "The oath of a Grand Juryman — and his oath is the commission under which he acts — assigns no limits except those marked by diligence itself to the course of his inquiries; why then should it be circumscribed by more contracted boundaries? Shall diligence naturally be enjoined? Shall means and opportunities of inquiries be prohibited and restrained?" Wilson's Works (Andrews Edition 1896), pp. 213-214.

Out of a wealth of cases supporting the right of a citizen to go voluntarily before a Grand Jury are: *King* v. *Second National Bank & Trust Co.*, 234 Ala. 106; *In re Lester*, 77 Georgia 143, 148; *State* v. *Stewart*, 45 La. Ann. 164, 14 So. at 145; *Worthington* v. *Scribner*, 109 Mass. 487. In fact it has been held that it is not only the right but the duty of a citizen so to act. *Hott* v. *Yarbrough*, 112 Texas 179, 245 S. W. 676; *Worthington* v. *Scribner*, supra.

This common law right is also guaranteed under the Constitution:

> "The right of a citizen informing of a violation of law like the right of a person in custody upon a charge of such violation, to be protected against lawless violence does not depend upon any amendment to the

> Constitution but arises out of the creation and establishment by the Constitution itself of a national government, paramount and supreme within its sphere of action . . . " In re *Quarles and Butler*, 158 U. S. 532.

Petitions for redress of grievances under the Constitution are to be directed to the government, which term includes the Grand Jury as well as the Legislature or Executive Officers. The Grand Jury in Illinois is the only body that can initiate prosecutions for felonies. *Illinois Constitution, Article II 8.* Private persons suffering under lawlessness in Illinois communities and seeking investigation of crimes already committed can make an effectual appeal to no other branch or arm of their government, in the event the prosecutor refuses to bring charges himself before the Grand Jury. It will be noted that this record discloses an appeal by petitioner to the prosecutor of Cook County, to the Governor of the State and to several successive Chief Justices of the criminal court, all of which were unavailing. His right, then, to address the Grand Jury was protected by his right to freedom of speech and to petition for redress of grievances. These rights, although not identical, are inseparable. *Thomas* v. *Collins*, 323 U. S. 560.

The decision of the Supreme Court of Illinois is based upon the former decision of *People* v. *Parker*, 374 Ill. 324.[1] This former case together with questions here presented was fully discussed in *Brach* v. *Wells*, 480 Atlantic 2nd 319, 156 A. L. R. 324, where the Court made a distinction between cases where the citizen first appealed to the prose-

[1] In discussing this case it was pointed out that where the prosecutor fails to act, an appeal to a magistrate would be ineffectual since the magistrate has no powers of investigation. 8 University of Chicago Law Review 561. Wisdom of the rule was also questioned 20 Chicago Kent Law Review 53.

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cutor and the courts before communicating with the Grand Jury and those where no effort was first made to obtain an initiation of prosecution by the law enforcement officers of the State. And it would appear that if the *People* v. *Parker* is entitled to consideration as an authority it must be interpreted as meaning that to escape contempt the citizen must first appeal to the law enforcement agents before going to the Grand Jury. In the case at bar, it is clear that he first acquainted the State's Attorney and the Court of the charges that he subsequently made to the Grand Jury after those officials refused to act.

> "That other adequate remedy to which petitioner is entitled is that of personally presenting his case to the Grand Jury of Baltimore City . . . the inquisitorial powers of a Grand Jury are not limited to cases in which there has been a preliminary proceeding before a magistrate nor to cases laid before them by the court or state's attorney . . .
>
> "A material difference between that case (*People* v. *Parker*, 374 Ill. 324) and the one before this Court is that in the case now before us, the appellant has communicated with the State's Attorney who has refused to act and has preferred the charge before a County Magistrate who has also refused to act." *Brach* v. *Wells*, supra.

The case at bar is, of course, distinguishable also from those cases where the communications to the Grand Jury touched matters already before them or concerned matters wherein the party communicating was or might have been named in an indictment.

If the right to petition for redress of grievances and to speak out against criminal acts is not an empty one, it cannot be curtailed because it is effectively used. The grievance charged in this case is the unlawful withholding of taxes by a large corporation claimed to be in league

with political powers. Petitioner could have complained with immunity to the Governor, the Legislature, the Highway Department or the City Council, but none of these branches of the government could have offered any relief. He followed the most effective course, he appealed first to the State's Attorney who did not act or respond; he appealed to successive chief justices of the Criminal Court, who did not act or respond. The denial of his right then to go to the Grand Jury denied him the only effective use that he might make of his right of free speech and his right of petition.[1]

The right of free speech becomes most valuable and sacred when exercised in criticism of oppression and corruption by public officials and powerful corporations. It becomes most effective when directed to persons such as the Grand Jury who have the power and impartiality required to investigate wrongs committed by persons in high places. The letter written by petitioner constituted a "clear present danger" only to those in public office who were corrupt.

---

[1] "In the United States the District Attorney is a bottleneck of the prosecution (Maley: Politics and Criminal Prosecution, Chapter 3), if he is inefficient or corrupt the prosecution fails. It is, therefore, well to have a body to whom the citizen who is denied justice may come — a body that can bring publicity and moral pressure at least on the District Attorney and other officers." Professor Kidd: Why the Grand Jury's Power is a Menace to Organized Crime, 12 The Panel 32 (1934).

Although cumbersome and not necessary for the prosecution of ordinary crimes the Grand Jury is useful as a general investigating body for inquiry into the conduct of public officers and in case of large conspiracies. National Committee on Law Observation and Enforcement (Wickersham Committee) Reports Volume I Report on Prosecution, page 37.

CONCLUSION.

Petitioner respectfully submits that this case calls for the exercise by this Court of its supervisory powers in order that an interpretation of the First and Fourteenth Amendments may be had covering the points herein involved, and to do justice in this case, and to such end prays for a Writ of Certiorari to reverse the judgment of the Illinois Supreme Court.

Respectfully submitted,

HARRISON PARKER,
Pro Se.

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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1947.

No. 428

HARRISON PARKER,

Petitioner,

vs.

PEOPLE OF THE STATE OF ILLINOIS,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ILLINOIS.

BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI.

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BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI.

Opinion of the Court Below.

The opinion of the Supreme Court of Illinois has been reported in Volume 397 Illinois at page 305, and at pages 61 to 64 of the printed transcript.

Jurisdiction.

Petitioner, asserting that substantial federal questions are involved, invokes section 237(b) of the Judicial Act. (U.S.C.A. Title 28, sec. 344.) Respondent denies that the questions sought to be presented are substantial.

STATEMENT OF THE CASE.

Petitioner wrote and sent to the foreman of the grand jury of the criminal court of Cook County a missive accusing the management of the Chicago Tribune Company, a Chicago newspaper publishing corporation, of tax evasions of a character which petitioner deemed to be criminal under the laws of Illinois.

Illinois restricts the inquisitorial office of her grand juries to inquires submitted by public officials or initiated by the grand jurors themselves. It treats and punishes as contempt of court voluntary communications with grand jurors, such as those of petitioner, precisely as it treats and punishes unauthorized communications with petit jurors. (*People* v. *Parker*, 374 Ill. 524; *People* v. *Doss*, 382 Ill. 307.)

Accordingly, petitioner, who admits the fact of the communication and the contents thereof, was held in and punished for contempt of the criminal court of Cook County by the judgment of that court (R. 52-54).

Petitioner sought to justify the communication by asserting a claim of constitutional right to make it; by maintaining that he was the Chancellor of "The Puritan Church" and that the communication constituted an exercise of religious freedom; and by maintaining (R. 87) that certain members of the Tribune's *personnel* had been guilty of moral delinquencies in their private lives in no way related to the charge of tax evasion which petitioner sought to present to the grand jury by his informal communications with that body.

The Question Presented.

The sole question presented is:

May Illinois constitutionally interdict voluntary and unauthorized importunities to a grand jury to indict for alleged crimes and enforce such interdiction by proceedings and punishment for contempt of court?

ARGUMENT.

I.

A state may abolish grand juries entirely and therefore may restrict their inquisitorial and accusatorial offices. It may enforce such restriction by contempt proceedings. There has never been any common law or federal constitutional right on the part of citizens to communicate directly with grand jurors. Therefore, no constitutional right of petitioner is involved.

Petitioner misconceives the federal constitutional doctrine with respect to the matter of State grand juries.

A state may, without denying due process of law either to accused persons or those who desire to complain of alleged crimes, abolish grand juries altogether. (*Hurtado* v. *California*, 110 U. S; *Lem Woon* v. *Oregon*, 229 U. S. 586.) The Illinois Constitution of 1870, Article II, Section 8, authorizes the abolition of the grand jury by law in all cases.* *A fortiori*, then, a state, if it retains the grand jury at all and does not dispense with it, may require that causes be submitted to that body only by a judge, a prosecuting or other official or the grand jurors themselves, acting without deliberate communication and advice from citizens who are not members of the grand jury.

It is, of course, of no consequence that such a policy might not comport with the federal constitutional, statutory or judicial policy with respect to federal grand juries. The Fifth Amendment, which provides for grand juries, does not apply to the States.

* § 8. "No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia, when in actual service in time of war or public danger: *Provided*, that the grand jury may be abolished by law in all cases."

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Illinois, weighing the obvious advantages of permitting citizens to make direct complaint to the grand jury of alleged violations of Illinois laws against the dangers of irresponsible communications on the part of vindictive citizens without previous investigation by public officials, has restricted what might otherwise be the privilege (it is in no sense either a state or federal constitutional right) of a citizen to accuse his fellow citizen by direct, voluntary and unauthorized communication with a member or members of a duly constituted grand jury. Such a state policy of insulation of grand juries' deliberations infringes no constitutional right of petitioner.

But, as a matter of fact, there was no common law privilege to communicate with the grand jury other than through the mediacy of its official proceedings. Attempts to influence grand jurors, like attempts to influence petit jurors,* constituted the common law crime of embracery. (*Com. ex rel Jack* v. *Crans,* 2 Clark (Pa.) 172; *Wiseman* v. *Com.,* 143 Va. 631; *U.S.* v. *Kilpatrick,* (D.C.) 16 F. 765; 112 A.L.R. 319.)

Further, it is a misdemeanor under the Federal Criminal Code to attempt to influence a grand jury of any court of the United States by communicating with them pertaining to their duties (U.S.C.A. Title 18, Sec. 243). (See *Duke* v. *U.S.* (C.C.A.) 90 F.(2) 317; 112 A.L.R. 317; *Duke* v. *U.S.,* 301 U.S. 492.)

Mr. Justice Field's celebrated charge to a federal grand jury, 30 Fed. cases 992, is frequently quoted. We quote it, together with a further quotation from Wharton's Criminal Procedure, tenth edition, section 1295, reciting further language of Mr. Justice Field on the point.*

* "You will not allow private prosecutors to introduce themselves into your presence and present accusations. Generally such parties are actuated by a private enmity and seek merely the gratification of their per-

Nothing need be said in response to petitioner's contention that, even though he might not otherwise have a right to communication with the grand jury, the fact that he was a member and directive head of a religious sect in whose name he chose to act conferred that right upon him.

Nor need much be said in reply to petitioner's invocation of "the right to petition for the redress of grievances." That right, though ancient and sacred within its proper scope, implies no privilege to tamper with a jury, grand or petit. Certainly no citizen has a federal constitutional right to attempt to influence a petit juror. Whatever may have been the common law right of access to grand jurors, no federal question whether of "right to petition for the redress of grievances" or otherwise is raised by a

---

sonal malice. If they possess any information justifying the accusation of the person against whom they complain they should impart it to the district attorney who will seldom fail to act in a proper case, but if the district attorney should refuse to act they can make their complaint to a committing magistrate before whom the matter can be investigated and if sufficient evidence be produced of the commission of the public offense by the accused, he can be held to bail to answer to the action of the grand jury." (30 Fed. cases 992.)

"There has hardly been a session of the grand jury of this court for years at which instances have not occurred of personal solicitation to some of its members to obtain or prevent the presentment or indictment of parties. And communications to that end have frequently been addressed to the grand jury filled with malignant and scandalous imputations upon the conduct and acts of those against whom the writers entertain hostility, and against the conduct and acts of former and present officers of this court and of previous grand juries of this district. All such communications were calculated to prevent and obstruct the due administration of justice, and to bring the proceedings of the grand jury into contempt. 'Let any reflecting man,' says a distinguished judge, 'be he layman or lawyer, consider of the consequences which would follow, if every individual could, at his pleasure, throw his malice or his prejudice into the grand jury room, and he will, of necessity, conclude that the rule of law which forbids all communication with grand juries, engaged in criminal investigations, except through the public instructions of courts and the testimony of sworn witnesses, is a rule of safety to the community. What value could be attached to the doings of a tribunal so to be approached and influenced? How long would a body, so exposed to be misled and abused, be recognized by freemen as among the chosen ministers of liberty and security? The recognition of such a mode of reaching grand juries would introduce a flood of evils, disastrous to the purity of the administration of justice, and subversive of all public confidence in the action of these bodies." (Wharton's Criminal Procedure, tenth edition, sec. 1295.)

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state's policy in restricting the function of its grand jurors and immunizing them, like petit jurors, from importunities or other communications intended to influence their deliberations and action.

Conclusion.

For the reasons urged in this brief, Illinois respectfully submits that the instant petition for *certiorari* should be denied.

Respectfully submitted,

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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1947

No. 428

HARRISON PARKER,

Petitioner,

vs.

PEOPLE OF THE STATE OF ILLINOIS,

Respondent.

BRIEF OF THE PEOPLE OF THE STATE OF ILLINOIS, RESPONDENT.

STATEMENT OF THE CASE.

On May 9, 1946, the petitioner, Harrison Parker, wrote a letter to the foreman of the Cook County grand jury at the Criminal Court Building, Chicago, Illinois (R. 1). The foreman received the letter and turned it over to the State's Attorney, who filed an information for contempt against petitioner (R. 1-3). After the denial of motion to quash the information and two petitions for change of venue, and after the filing of answers to interrogatories and of an amended answer to the rule to show cause, petitioner was finally sentenced to six months in jail for contempt (R. 52-53). This sentence has been affirmed by the

Supreme Court of Illinois. (*People* v. *Parker*, 397 Ill. 305; petition for certiorari, pp. 4-7.)

The letter to the grand jury, upon which this contempt sentence is based, stated in substance (R. 1-3) that "the Tribune Company, with the connivance of the Kelly-Nash Democratic machine, has stolen from defenseless Cook County • • • the enormous sum of 100 million dollars" in the form of unpaid taxes and penalties, as a result of which, the letter continues, "the multi-millionaire stockholders of the Tribune Company were enormously enriched and the defenseless little home owners of Cook County were correspondingly despoiled" (R. 2). The letter concluded with an offer to produce evidence of this accusation to the grand jury.

The charges of tax fraud contained in this letter had twice been unsuccessfully litigated by petitioner through the courts of Illinois. *People ex rel. Parker* v. *Board of Appeals*, 367 Ill. 559, and *People ex rel. Parker* v. *Whealan*, 370 Ill. 243. These two cases are succinctly summarized by the Appellate Court of Illinois in the case of *Parker* v. *Kirkland*, 298 Ill. App. 340, where, in a footnote on page 344, the Court said:

> "This contention was subsequently determined adversely to Parker in an opinion filed in *People ex rel. Parker* v. *Board of Appeals of Cook County*, 367 Ill. 559. An appeal had there been perfected from an order of the circuit court dismissing Parker's complaint for a writ of mandamus, and it was held among other things that under Rule 11 of the State tax commission, an assessment of capital stock is in reality an assessment upon the intangible surplus over and above the assessment levied on the tangible property of the corporation, and where the value of a corporation's stock does not exceed the value of its tangible property, there is no basis for an assessment of capital stock as such. Subsequently Parker filed a second

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petition for mandamus, wherein the figures in his complaint had been modified and the allegations broken down so that they were set out by various years. In a recent opinion filed by the Supreme Court in *People ex rel. Parker* v. *Whealan*, 370 Ill. 243, the court held that 'there have never been any allegations that the assessments complained of were lacking in uniformity, as compared with the assessments made upon other similar property,' and the judgment of the circuit court dismissing the complaint for mandamus was again affirmed."

The offense involved in the instant case was not petitioner's first offense of this kind. After these two adverse decisions in his tax cases, petitioner sent letters to a former grand jury, making the same charges of tax fraud as a result of which he was sentenced to ten days in jail for contempt of court for obstruction of justice. This sentence was affirmed by the Supreme Court of Illinois in *People* v. *Parker*, 374 Ill. 524; this Court denied certiorari (see 313 U. S. 560 [1941]).

In his present petition for certiorari (pp. 2, 14), petitioner states on the authority of documents set forth at record pages 21 to 52, that before writing to the grand jury in this case he had appealed in vain to the Governor of the State, to two successor chief justices of the Criminal Court of Cook County, to the Board of Tax Appeals, to Thomas J. Courtney, State's Attorney of Cook County, and then later to his successor, William J. Tuohy. The record, pages 21 to 52 to which he refers, also reveals that he repeated these same charges of tax fraud not only to the above named officials and judges but likewise to bar associations, to corporations and to clubs (R. 23, 29, 32, 34, 41, 42, 43, 48, 50, 97-99) and also to six previous grand jury foremen (R. 44-45). None of these six previous grand juries took the action which his letters urged upon them, he says (R. 29, 33, 43, 81), whereupon he again pestered

the grand jury with the letter upon which the present information for contempt is based.

Petitioner includes in this record his petition for rehearing in the Supreme Court of Illinois (R. 65-125). In this he threatens to continue his course of conduct despite the sentence for contempt (R. 122, 123).

Petitioner does not claim that he ever properly petitioned any judge to call a special grand jury to investigate into the alleged tax frauds although the statutes of Illinois enable any citizen to do so; nor that he swore out a warrant against those whom he asserts are guilty.

THE QUESTION PRESENTED.

The question presented is:

> DOES ILLINOIS' INTERDICTION OF VOLUNTARY COMMUNICATIONS TO GRAND JURIES, WHICH TREATS SUCH COMMUNICATIONS AS CONTEMPTUOUS, AS THAT POLICY HAS BEEN ENFORCED IN THIS CASE, INFRINGE ANY FEDERAL CONSTITUTIONAL RIGHT OF PETITIONER?

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SUMMARY OF ARGUMENT.

1. It is the policy of the State of Illinois that no person may address "unofficial volunteer communications" to a grand jury charging persons with crime and inviting the grand jury to investigate and to indict such persons.

2. Such communications are calculated to obstruct justice and are contempts of court.

3. Petitioner, although warned by a previous contempt sentence of ten days, continued to send such communication to grand juries; he finally sent the communication on which this information is based and as a result was sentenced to six months in jail.

4. Neither the public policy of Illinois nor its enforcement in this case infringes any federal constitutional right or privilege of petitioner.

5. The right "to petition the government for a redress of grievances" does not entitle a citizen to tamper with grand juries or to interfere with their deliberations. His redress, if any, in this case was to petition a judge to empanel a special grand jury or to swear out a warrant for the arrest of those whom he accused.

ARGUMENT.

I.

The contempt sentence imposed upon petitioner for voluntarily communicating with the grand jury did not violate any of his constitutional rights.

As we have seen, petitioner, before committing the act in the case at bar, had twice unsuccessfully litigated through the Illinois courts his claims of tax fraud. *People ex rel. Parker* v. *Board of Appeals*, 367 Ill. 559; *People ex rel. Parker* v. *Whealan*, 370 Ill. 243. It had thus been held by the highest court in Illinois that that which petitioner claimed was a fraud was in fact no fraud. And, thereafter, for obstructing an earlier grand jury with exhortations to abandon their own inquiries and to deliberate on his, he had received a contempt sentence of ten days in jail, which was sustained on review. *People* v. *Parker*, 374 Ill. 524 (certiorari denied, 313 U. S. 560). Petitioner was thus put upon notice that the State of Illinois had in no uncertain terms declared its public policy to be that for one to annoy a grand jury in the performance of its functions by unsolicited communications was an obstruction of justice punishable by contempt proceedings. Petitioner nevertheless persisted in his course of action until the present contempt sentence was imposed.

The public policy of the State of Illinois with respect to interference with grand juries declared in *People* v. *Parker*, 374 Ill. 524, and in the instant case, *People* v. *Parker*, 397 Ill. 305 (Petition for Certiorari, pp. 4-7) may be stated as follows: No citizen may address to a grand

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jury unsolicited communications accusing other citizens of committing crimes and inviting the grand jury to start a prosecution thereof; to do so is punishable by contempt proceedings as an obstruction of justice. The wisdom of this public policy cannot be denied. In *People* v. *Parker* the Supreme Court of Illinois said in part (374 Ill. 524, 528):

> "The authorities in other jurisdictions cannot be harmonized. Some courts hold that a stranger has a right voluntarily to bring facts to the knowledge of the grand jury. (*In re Lester*, 77 Ga. 143; *State* v. *Stewart*, 45 La. Ann. 1164.) On the other hand, Wharton, in his treatise on Criminal Practice and Pleading, eighth edition, section 307, states: 'Sending an unofficial volunteer communication to the grand jury, inviting them to start, on their own authority, a prosecution, is a contempt of court, and a misdemeanor at common law.' To this same effect is *Commonwealth* v. *Crans*, 2 Pa. L. J. 172."

The Supreme Court of Illinois then went on to show that its holding had a sound basis in the celebrated doctrine of Mr. Justice Field, laid down in *In Re Charge to Grand Jury*, 2 Sawy. 667, Fed. Cas. No. 18, 255, 30 Fed. Cas. 992, thus (p. 528):

> "Mr. Justice Field announced the same rule in his charge to the Federal grand jury, (30 Fed. cases 992,) which is frequently quoted. He charged: 'You will not allow private prosecutors to intrude themselves into your presence and present accusations. Generally such parties are actuated by a private enmity and seek merely the gratification of their personal malice. If they possess any information justifying the accusation of the person against whom they complain they should impart it to the district attorney who will seldom fail to act in a proper case, but if the district attorney should refuse to act they can make their complaint to a committing magistrate before whom the matter can be investigated and if sufficient evidence

be produced of the commission of the public offense by the accused, he can be held to bail to answer to the action of the grand jury.' "

The Supreme Court of Illinois then pointed out that Mr. Justice Field's doctrine had been adopted by eminent text authorities, saying (pp. 528-529):

"Mr. Justice Field is also quoted by Wharton on Criminal Procedure, tenth edition, section 1295, as follows: 'There has hardly been a session of the grand jury of this court for years at which instances have not occurred of personal solicitation to some of its members to obtain or prevent the presentment or indictment of parties. And communications to that end have frequently been addressed to the grand jury filled with malignant and scandalous imputations upon the conduct and acts of those against whom the writers entertain hostility, and against the conduct and acts of former and present officers of this court and of previous grand juries of this district. All such communications were calculated to prevent and obstruct the due administration of justice, and to bring the proceedings of the grand jury into contempt."

Wharton's quotation from *Com.* v. *Crans* was then approved of by the Illinois Court as follows (p. 529):

" ' "Let any reflecting man", says a distinguished judge, "be he layman or lawyer, consider of the consequences which would follow, if every individual could, at his pleasure, throw his malice or his prejudice into the grand jury room, and he will, of necessity, conclude that the rule of law which forbids all communication with grand juries, engaged in criminal investigations, except through the public instructions of courts and the testimony of sworn witnesses, is a rule of safety to the community. What value could be attached to the doings of a tribunal so to be approached and influenced? How long would a body, so exposed to be misled and abused, be recognized by freemen as among the chosen ministers of liberty and security? The recognition of such a mode of reaching grand juries would introduce a flood of evils, disas-

trous to the purity of the administration of justice, and subversive of all public confidence in the action of these bodies.'' '' '' *

The Illinois Supreme Court then pointed out how the doctrine of Mr. Justice Field applied to the act of petitioner, in the following language:

> "We think the reasoning of Mr. Justice Field is sound and that he announced a wise principle of law. The letters written by defendant, Parker, are a glaring example of the evil against which that rule is directed. They are replete with malignant accusations against private citizen and public officials and are, in all probability, the result of personal enmity. Couched in the language they are, they could serve no useful purpose. Rather they expose the grand jury to the danger of being misled and abused by one motivated by personal animosity. If such communications with the grand jury were permitted and had their desired effect, many innocent people would be indicted solely because of personal enmity or the malice of one seeking revenge.
>
> "It cannot seriously be argued that defendant, by these letters, was not seeking to influence the action of the grand jury. We cannot agree that the rule forbidding such communications should be limited to cases pending before the grand jury."

This public policy of Illinois was confirmed in *People* v. *Doss,* 382 Ill. 307, and now again in the present case, *People* v. *Parker,* 397 Ill. 305 (petition for certiorari, pp. 4-7).

This same public policy adopted by Illinois is likewise followed in other jurisdictions. The federal courts and five other states have adopted the same rule. Thus:

(A) In Federal courts:

The doctrine of Mr. Justice Field, *In Re Charge to Grand Jury* [1872; CC], 2 Sawy. 667, Fed. Cas. No. 18,255, 30 Fed. Cas. 992, has been quoted above.

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* [King, P.J., in *Com.* v. *Crans,* 2 Clark (Pa.) 172, 193.]

Part of Mr. Justice Field's charge is quoted with approval in *Hale* v. *Henkel*, 201 U. S. 43, where this Court added the following observation (p. 65-66):

> "• • • As criminal prosecutions are instituted by the State *through an officer selected for that purpose*, he is vested with a certain discretion with respect to the cases he will call to their attention, the number and character of the witnesses, the form in which the indictment shall be drawn, and other details of the proceedings. • • • While the grand jury may not indict upon current rumors or unverified reports, they may act upon knowledge acquired either from their own observations or upon the evidence of witnesses given before them." (Emphasis supplied.)

In *United States* v. *Kilpatrick* (1883—D. C. North Carolina), 16 Fed. 765, 767, the Court, in speaking of grand juries, first pointed out that—

> "• • • Each state has its peculiar social conditions and modes of thought, its local usages, customs, and statutes, which have changed and modified the principles and rules of the English common law, and influenced state judicial decisions. • • •"

Stating the general principle in the broadest possible terms, the Court said (p. 769):

> "An individual has no right to communicate private information to a grand jury for the purpose of obtaining a presentment. If he desires to prosecute an offender there are two modes by which he may accomplish his purpose. • • •"

These two methods, said the Court, were, *first*, to give the information to the prosecuting attorney, and *second*, to swear out a warrant himself. The Court then continued:

> "It has been held a misdemeanor and a high contempt of court in any individual, acting as a volunteer, to approach or communicate with the grand jury in reference to any matter which either is or may come before them. 1 Whart. Crim. Law, § 507."

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The Court then showed (p. 770) that the law of North Carolina, where the Court was sitting, was to the same effect, by quoting from *Lewis* v. *Com'rs*, 74 N. C. 194, the following excerpt:

> "'None but witnesses have any business before them [*i.e., the Grand Jury*]. No one can counsel them but the court. They do not communicate with the solicitor, but with the court, either directly or through an officer sworn for that purpose. They act upon their own knowledge or observation in making presentments. They act upon bills sent from the court with the witnesses. The examination of witnesses is conducted by them without the advice or interference of others. Their findings must be their own, uninfluenced by the promptings or suggestions of others, or *the opportunity thereof.*'"

and then went on to quote from Mr. Justice Field's charge.

It is now a misdemeanor under the Federal Criminal Code to attempt to influence a grand jury of any court of the United States by communicating with them pertaining to their duties. (U. S. C. A. Title 18, Sec. 243.) (See *Duke* v. *U. S.* (C. C. A.), 90 F. (2) 317; 112 A. L. R. 317; *Duke* v. *U. S.*, 301 U. S. 492.)

(B) *North Carolina* has also adopted the rule of public policy that no citizen may address unsolicited communications to a grand jury. See *Lewis* v. *Commissioners*, 74 N. C. 194, quoted above in *U. S.* v. *Kilpatrick*, 16 Fed. 765.

(C) *California* has the same rule. Thus:

In the case of *In re Tyler*, 64 Cal. 434, 1 Pac. 884, where an attorney was held guilty of contempt for writing a letter to the grand jury denouncing many of the jurors, in a concurring opinion, Sharpstein, J., said (889):

> "I concur in the judgment. I think no one would be to the trouble of communicating his views in writing to a grand jury on a matter which it had, or was likely

to have, before it, unless he expected thereby to influence its action; and I think the policy of the law is to keep juries as free as possible from outside influence. How that can be done, if everyone who feels so inclined shall be at liberty to communicate his views in writing to a jury on any matter which it may have before it, is to me inconceivable. I think that every act of the kind constitutes an unlawful interference with the proceedings of a court."

(D) *New York* likewise has adopted the same rule in the most forceful terms:

In *People* v. *Sellick* (1886), 4 N. Y. Crim. Rep. 329, an indictment was set aside on the ground that grand jurors had been voluntarily approached by the attorney of a person complaining of an alleged crime. The indictment was quashed and the Court, quoting the doctrine of Mr. Justice Field and Wharton, had this to say of the practice of permitting private parties to make unsolicited approaches to the grand jury (pp. 332-333):

"Still, we are entirely satisfied that such acts are decidedly improper, because, if one person who honestly believes an indictment *should* be found may write letters to, and hold conversations with, grand jurors, urging them to investigate a case to that end, may not any other person who honestly believes an indictment should *not* be found do the same things to that end? And if this may be done by *one* person, it may be done by all; and if it may be done by one grand juror, it may be done with all; and what a spectacle would this present, giving the right to every person, as soon as a grand jury is drawn, to labor with each individual member thereof, at his home, upon the street or in place of business, by speech by writing and by printing, to adopt the views of every such person, either to find, or not to find, an indictment in each particular case. Certainly no value could be attached to the doings of a tribunal so to be approached and influenced, so to be abused and misled. And we think in a case where such circumstances are shown to exist,

where such communications as are shown in this case to have been made to the members of the grand jury, that it should be *conclusively presumed* that the grand jury were influenced by them, and that the affidavits of individual members of the grand jury should not be heard to contradict such presumption, or show that they were not, in fact, so influenced."

(E) *Pennsylvania:*

The courts of Pennsylvania have given us one of the most lucid expositions of the grave dangers of permitting conduct such as that of the petitioner in the case at bar. This exposition is set forth in *Com.* v. *Crans*, 2 Clark (Pa. 172, 193), quoted *in extenso* in the opinion in *People* v. *Parker*, 374 Ill. 524; also in *Doan's* case (1896), 5 Pa. Dist. R. 211, 17 Pa. Co. Ct. 521, where the court, in entering a contempt rule against one Doan who had voluntarily approached a grand juror and sought to obtain an indictment against an alleged offender, said in part (5 Pa. Dist. R., p. 211, 214):

"The offending here, if any, was an attempt to influence a grand juror in the discharge of the duties of his office by suggesting to him or urging the indictment of one or more citizens who were not under arrest, and therefore where the cases were not pending in court. The penal code of 1860, providing for the punishment of and defining embracery, refers to pending cases. Whether the offence be embracery at common law may yet be determined; we are now applying the facts to a more serious offence.

"In the case of *Com.* v. *Kauffman*, Judge Jones said: 'From the moment the name of the juror is announced in the papers—yes, from the time it is drawn from the wheel—his person is consecrated to the purpose of justice. The law draws around him an invisible cordon, which no man may pass but at his peril. It is as complete the moment he is selected as when he is empanelled.' * * *"

The court then quoted at length from *Com.* v. *Crans*, including the following (p. 215):

> "* * * Judge Parsons said: 'If the court is to instruct the grand jury on subjects for their consideration, then it follows that this body are not to receive instructions from any other source on questions which are to be determined by them. No one can communicate with that body or any of its members in relation to matters which are or may be proper for their inquiry, either on questions of law or fact. The grand jury being officers of the court, and, under its legal direction, are entitled to its protection from assault of every kind, whether the effort is designed to influence them on questions of law or fact, or intended to disturb them in their deliberations when assembled in the court or jury-room, or to menace them, by threats or violence, for the manner in which they shall perform their duty, or to control, influence or bias their judgment in any question likely to come before them for their consideration. To attempt anything of this kind is criminal in the eyes of the law. It is a high contempt of court, an obstruction of the administration of justice, and the tendency of all such acts is to corrupt the fountains of judicial tribunals, which, for the safety of society, should always be kept pure and ever free from suspicion. Such misdemeanors are to be punished, after a conviction upon a bill of indictment, upon the same principle that one is liable to an indictment for dissuading or endeavoring to dissuade a witness from giving evidence against a person indicted. He is liable to be indicted for a misdemeanor, as a disturber of the administration of justice, and for a high contempt of court.'"

Applying the law as laid down in the *Crans* case to the facts in the case before it, the Court in the *Doan* case contended (pp. 215-216):

> "* * * In this very case, the idea of presenting Mr. Pennypacker never entered the head of a single grand juror until, if we believe him, Mr. Price was approached the morning of the day the presentment

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was made. The mischief had been done before the case reached the court, and it would be absurd to say there is no remedy. The danger to the liberty of the citizen is too great to tolerate such an idea. The statute [*i.e., against embracery*] does not refer to such a case, but only to those pending in court. As to all others, the common law offence remains as before. *Commonwealth* v. *Crans* furnishes the law of this case.

"If the facts alleged against Mr. Doan be true, it would be a great wrong to society to discharge him, and its weakening effects upon public confidence in the jury system would be most serious. Notwithstanding all we have heard against it, we have an abiding faith in trial by jury as one of the safest bulwarks of personal liberty and property rights. But if it is once understood that jurors may be thus approached and the liberty of the citizen endangered, it will not be long before the people will rise up and destroy it forever.

"It has been said that 'the jury-box is the school of civil rights, which has elevated the Anglo-Saxon race so far above all others in their knowledge of the principles of liberty and law, that those that are brought into court hear cases of every description discussed, the laws expounded, and the rights and duties of every relation of life defined. Ideas are taken home and talked over by the people at the domestic hearth and in their social meetings, and the knowledge thus acquired and disseminated becomes an important part of the intellectual and political capital of the nation, and it is this institution which has elevated the English nation in their knowledge of their civil rights so far above the people of the continent.'

"If we would protect and preserve this institution, we must strike down the hand of whomever would deal it a foul blow or poison its source of life and purity."

In *McCullough* v. *Commonwealth* (1870), 67 Pa. 30, the Supreme Court of Pennsylvania approved of the doctrine of the *Crans* and *Doan* cases, saying: by way of dictum (p. 33):

"* * * It has, therefore, been held not to be allowable for individuals to go before the grand jury with their witnesses and to prefer charges. Such conduct is looked upon as a breach of privilege on part of the grand jury, and as a highly improper act on part of such volunteers. * * *"

(F) *Massachusetts:*

Massachusetts, while finding it unnecessary to pass upon the general principle that no citizen may address an unsolicited communication to the grand jury accusing others of alleged crimes, has nevertheless pointed out in no uncertain terms the evils of this practice in *Commonwealth* v. *Woodward,* 157 Mass. 516, 32 N. E. 939, where the court said by way of dictum (32 N. E. 940):

"* * * There are evils no doubt which would arise if a general practice were to spring up of importuning grand jurors privately in favor of or against the finding of indictments. If this were done on one side, it might also be done on the other; if with one grand juror, then with all; if by one person, then by many persons; if in one case, then in all cases. The evil or apprehension of evil from this source has been so great elsewhere as sometimes to lead to legislation for preventing or punishing it. *People* v. *Sellick,* 4 N. Y. Crim. Rep. 329. No such legislation has yet been deemed necessary in this commonwealth, and the question of the criminality of such importuning, if it should arise, would have to be determined on general principles of law. * * *"

And in the two related cases of *Commonwealth* v. *McNary* (Mass.), 140 N. E. 255, 29 A. L. R. 483, and *Commonwealth* v. *Chmielinski* (Mass.), 140 N. E. 258, the Court held that the context of the unsolicited letters there addressed to the grand jury by the two respective defendants were contemptuous because, among other things, they presumed to instruct the grand jury on the law and were of

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such a nature as to have a tendency to prejudice the minds of the grand jurors. The same is true of the letter in the case at bar (see R. 1-3).

As pointed out above, it makes no difference whether or not the communication addressed to the grand jury concerns a matter pending before it; nor does it make any difference whether the letter seeks to prevent an indictment or to obtain one. In either case, the tendency is to obstruct the grand jury in the proper performance of its functions.

Petitioner's Cases Distinguished.

Petitioner cites, among others, the cases of *In Re Lester*, 77 Ga. 143, *State* v. *Stewart*, 46 La. Ann. 1164, 14 So. 143, *King* v. *Second Natl. Bank & Trust Co.*, 234 Ala. 106, 173 So. 498 (a malicious prosecution suit); *Hott* v. *Yarbrough*, 112 Tex. 179, 245 S. W. 676 (a libel suit), and *Brack* v. *Wells* (Md.), 40 Atl. 2d 319. As pointed out by the Supreme Court of Illinois in *People* v. *Parker, supra,* some states have seen fit to adopt a different public policy in this regard and the decisions cannot be harmonized. However, this is a matter which each state may decide for itself. Furthermore, it should be noted that in the *Hott* case, the Court quoted a Texas statute under which "any credible person" could inform the grand jury as to offenses liable to indictment. In the *King* case, cited by petitioner, the matter had apparently been brought to the attention "of the solicitor and the grand jury."

Vogel v. *Gruaz*, 110 U. S. 311, cited by petitioner, was a suit for malicious prosecution against one who had made an accusation against the plaintiff in the grand jury room. It appears from the facts in the case that the defendant in the malicious prosecution suit had been directed to the

grand jury room by the *State's Attorney*. Furthermore, this Court stated (110 U. S. 309, 315):

> "• • • By the statute of Illinois in force at the time of this occurrence, it was made the duty of each State's attorney to 'commence and prosecute' all criminal actions, suits, indictments, and prosecutions, in any court of record in his county, in which the people of the State or county might be concerned. Rev. Stat. of 1864, chap. 14, § 5, subd. 1. Under this provision it was the province and the privilege of any person who knew of facts tending to show the commission of a crime, to lay those facts before the public officer whose duty it was to commence a prosecution for the crime. • • •"

In the cases of *In Re Quarles and Butler*, 158 U. S. 532, and *Worthington* v. *Scribner*, 109 Mass. 487, quoted by petitioner, the information in question was given to exclusive officers of the United States Government.

The case of *Thomas* v. *Collins*, 323 U. S. 516, is so far from the point as to need no discussion.

Suffice it to say that it is for each State to decide for itself whether or not it wishes to permit persons to approach a grand jury with unsolicited communications inviting, advising and urging the grand jury to prosecute alleged crimes which have not been officially presented to them.

II.

The Statutes of Illinois Make Ample Provision for Petitioner to Seek a "Redress of His Grievances."

Petitioner claims that his constitutional rights have been infringed in that he has been denied the right to petition the government for the redress of grievances. This claim is entirely frivolous. As pointed out above, he has annoyed a great many successive Grand Juries with repetitions of his charges of tax frauds which had theretofore twice been found by the Illinois Supreme Court to be without basis.

But even so, and even if petitioner desired again to "redress his grievances", the Illinois statutes provide an ample remedy. For if it were true, as he claims, that no official would take the action he desired, or if it were true, as he claims, that all previous Grand Jury were either "afraid" (R. 3) or refused for "political reasons" (R. 43) to invite him to bring his "evidence"—the Illinois statutes provide that "the judge of any court of record of competent jurisdiction may order a special venire to be issued for Grand Jury at any time when he shall be of opinion that public justice requires it". (*Ill. Rev. Statutes*, 1947, Chap. 78, Par. 19, p. 2078). This statute has been construed by the Supreme Court of Illinois in the case of *People* v. *Graydon*, 333 Ill. 429 (436):

> ". . . The question is committed to the discretion of the judge of the court, and the legislative act modifying the common law and authorizing the issuing of a special venire for a grand jury at any time when in the opinion of the judge public justice requires it violates no constitutional limitation. With the question of the policy or wisdom of authorizing the impaneling of a special grand jury when a grand jury regularly impaneled is performing the duties of such body we

> have no concern. The act authorizes the issue of a special venire for a grand jury at any time the judge shall be of opinion that public justice requires it, and we have no right to impose any further limitation on the exercise of the power."

Indeed, the power to call a special Grand Jury was inherent in the court at common law and would exist even were there no such statute. *People* v. *McCauley*, 256 Ill. 504.

Thus, it becomes apparent that the statutes and decisions of the State of Illinois afforded petitioner an orderly method whereby to "redress his grievances" if any such he had.

III.

A State May Abolish Grand Juries Entirely and Therefore May Restrict Their Inquisitorial and Accusatorial Offices. It May Enforce Such Restriction by Contempt Proceedings. There Has Never Been Any Common Law or Federal Constitutional Right on the Part of Citizens to Communicate Directly with Grand Jurors. Therefore, No Constitutional Right of Petitioner Is Involved.

It has been previously demonstrated that there is neither a federal nor a common law doctrine or policy permitting private citizens voluntarily to importune grand juries to investigate or indict other citizens. Under this point we demonstrate conclusively, we believe, that even if there were such a federal or common law policy, the Fourteenth Amendment would not enforce that policy upon the several states.

A State may, without denying due process of law either to accused persons or to those who desire to complain of alleged crimes, abolish grand juries altogether. (*Hurtado* v.

California, 110 U. S. 517; *Lem Woon* v. *Oregon*, 229 U. S. 586.) The Illinois Constitution of 1870, Article II, Section 8, p. 20, authorizes the abolition of the grand jury by law in all cases. A *fortiori*, then, a State, if it retains the grand jury at all and does not dispense with it, may require that causes be submitted to that body only by a judge, a prosecuting or other official or the grand jurors themselves, acting without unsolicited communication and advice from citizens who are not members of the grand jury.

Conclusion.

For the reasons urged in this brief, the State of Illinois respectfully submits that this Honorable Court either dismiss the writ of certiorari for want of jurisdiction, or in the alternative, that it affirm the judgment of the Supreme Court of Illinois.

Respectfully submitted,

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Of Counsel.

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CHARLES ELMORE CROPL
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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1947.

No. 423.

HARRISON PARKER,

Petitioner,

vs.

PEOPLE OF THE STATE OF ILLINOIS,

Respondent.

ON WRIT OF CERTIORARI TO THE SUPREME COURT THE STATE OF ILLINOIS.

PETITION FOR REHEARING.

HARRISON PARKER,
Pro Se.

THE COURT PRESS, N. Y. C.

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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1947.

No. 428.

HARRISON PARKER,

Petitioner,

vs.

PEOPLE OF THE STATE OF ILLINOIS,

Respondent.

PETITION FOR REHEARING.

Now comes HARRISON PARKER, the petitioner herein, and presents his petition for a rehearing and a definite decision in the above entitled cause.

Petitioner respectfully urges the Court to re-examine the issues which have caused a 4 to 4 draw, in a matter in which the issue is: law and order vs. court corruption, attempted murder, the destruction of constitutional government in Illinois, the sacking of freedom of speech there, and the jailing for six months of a man whom the undisputed record before this Court, shows to be innocent of any offense against the law of God or man, except that he had the courage to sign as the Chancellor of the Puritan Church, an orderly letter to the Cook County Grand Jury which informed that body, that the Puritan Church had available for its inspection, irrefragable evidence that the Chicago Tribune had stolen from the defenseless citizens of Cook County, 100 million dollars in cash. This was done through the violation of the existing

Constitution of Illinois, the law passed by her legislature and an expressed mandate of the Supreme Court of the United States, in an opinion written by the late Oliver Wendell Holmes, Justice of the Supreme Court of the U. S. A.

This petitioner is before this Court, because he has observed all of its rules; he has paid all the fees required of him, amounting to approximately $1000. He did not pay that money to obtain for six months, a priority for a cell in the Cook County Jail, but, to avoid one, if it be possible under the administration of justice under law, as it is blazoned in stone letters over the entrance of the Supreme Court Building at Washington, D. C.

Justice under law is based upon the sound legal theory, that no man, neither prince, nor peasant, should be put in jail for a single minute, unless the preponderance of the evidence shall be against him. The 4 to 4 draw by the justices of this honorable court, consigns this petitioner to the Cook County Jail, when the preponderance of the evidence is not against him: four justices of this court from an examination of the record before them, affirm, that this petitioner is guilty of contempt of court; four justices from an examination of the same record, affirm that he is not guilty. There should be no division on law points; there can be division on equity points; this is a law case.

This petitioner is ready and willing to spend six months in the Cook County Jail, if a majority of the justices of this court, shall decree that his conduct deserves punishment; he is not willing without a protest, to go to that jail for a single day, upon a draw in the highest court of his country.

Confident as every American should be, that he

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could obtain justice under law in the Supreme Court of the United States, this petitioner appeared before you, "palms up" and stated his grievances against the courts of Illinois; these were stated in printed form; on those statements of his grievances, this Court agreed to review the proceedings in the Illinois courts; no other evidence, or influence is presumed to have reached this Court; yet this Court by a 4 to 4 draw, without giving any reasons, has dismissed the same petition which it once accepted; this leaves all the constitutional questions still open, and denies to this petitioner, a trial before the Supreme Court of the United States, for which he has paid all the required court costs.

On account of his familiarity with Illinois law, this petitioner offered the Hon. Harold Ickes, lawyer, a large money fee to argue this petitioner's cause before your honorable body. Mr. Ickes refused that fee, on the ground that his presence in the litigation, might embarrass his friends who are members of this Court. At the same time, Mr. Ickes advised his petitioner, to appear in person, before your honorable body, in order to remove any semblance of pressure which might be caused by the presence in the litigation, of a politically prominent lawyer. This petitioner would have scorned any lawyer who would have approached him with the insinuation that this highest court in the land could be influenced by anything outside of the record before it, and the law that pertains to it.

In the consideration of this petition for a rehearing, this Court in addition to the printed record before it, should take judicial notice of the aforementioned decision of this Court, in a matter on which the present serious proceeding is based.

The existing constitution of Illinois adopted by a

Citizens Convention in 1870 A. D., provided that taxes in Illinois should be uniform. In carrying out that mandate, the Illinois legislature passed in the year 1872, what is known as the "Illinois Capital Stock Tax Law". Under that enlightened law, all domestic Illinois corporations are required to pay to the State of Illinois, a certain proportion of their yearly net earnings. The listing, assessing and the collection of that tax was vested in the State Board of Equalization, which was created by the Act which imposed the tax.

Had the opulent and politically powerful corporations of Illinois not avoided by flagrant fraud, their proportion of the tax burden covered by that tax, Illinois might have had milk for all her school children, and schools to instruct in the American Way of Life the European peasants who were lured to Illinois, upon a constitutional guarantee of a uniform tax. Thus, the Kingdom of God here, on this plane of existence, sought by all of us, might have been approached in Illinois, and the crisis due to ignorance of American ideas which faces all of us now, might have been avoided in Illinois.

The Tribune Company is an Illinois domestic corporation; it conformed to the provisions of the Illinois Capital Stock Tax Law for the year 1873. Then its management foresaw that, when its cash profits for a single year as they were in the year 1923, in the record before you, would be 3 million dollars, the Capital Stock Tax computed by Rule XI adopted by the State Board of Equalization at its first session, would be about $600,000. The stockholders of the Tribune Company did not care to pay a state tax of $600,000 for the protection of its law, and for the education of the less fortunate.

Capital stock in Illinois Corporations in the possession of the owners dwelling in Illinois, is not taxable in Illinois, because the law presumes that the corporations will pay their capital stock tax at the source. For 51 consecutive years, 1873 to 1924, neither a single stockholder in the Tribune Company, nor the Tribune Corporation itself, has ever paid for those years, a single cent of the taxes legally due on that valuable stock. By this cowardly fraud, every stockholder in the Tribune Company became a millionaire and the Tribune Corporation itself acquired in addition, assets today, worth 200 million dollars, by the use of the money which should have been paid to the State of Illinois, as taxes.

To prevent the effects of the operation of this just tax law, upon the rich and politically powerful, a slush fund of $25,000 cash a month was collected from among the then opulent Illinois Corporations, including the Tribune Company. This was given to the members of the State Board of Equalization as a bribe, not to list and assess the capital stock tax against the corporations which made up the "pool", including the Tribune Company. These law violating corporations did not enjoy paying the "politicians" $25,000 cash a month, to omit the listing, assessing and collecting of a legally imposed tax.

In that situation the Illinois Legislature was either influenced, intimidated or bribed by the law-breaking corporations to pass a law exempting "newspapers" from the operation of that general law. An honest Supreme Court of Illinois declared this law unconstitutional. Then, the Illinois Legislature was either influenced, intimidated or bribed by the offending corporations to transfer the assessment of the Capital Stock Tax on newspapers to the local County As-

sessor who could be blackmailed by newspaper "publicity", to omit the Tribune Company from the operation of that general tax law.

By the year 1900, the scandal in Illinois caused by the omission of the Capital Stock of opulent corporations from the tax rolls by the local county assessors, had become so great, that the late Margaret Haley, the business agent of the Chicago School Teacher's Union, in seeking a fund with which to supply milk to the underprivileged school children, dragged the law-breaking corporations of Illinois into the Courts of Illinois, to compel the enforcement of the Illinois Capital Stock Tax Law.

Another honest Supreme Court of Illinois declared in Miss Haley's law-suit, that the Capital Stock Tax Law passed by the Illinois Legislature of 1872, was valid and binding upon every Illinois domestic corporation, including the Tribune Company. This opinion was appealed by the law-breaking corporations to the Supreme Court of the United States. There, it was upheld in an opinion written by the late Oliver Wendell Holmes. This opinion not only upheld the Capital Stock Tax Law of Illinois, but it also upheld Rule XI promulgated by the State Board of Equalization, for computing that tax. Under this sweeping opinion, the Tribune Company then owed the State of Illinois about 30 million dollars for capital stock taxes due to the State, since the year 1873.

The general counsel of the Tribune Company at that time, was the reputable Chicago law firm of Mayer, Meyer, Austrian and Platt. It advised the Tribune Company in writing, that it must pay the Capital Stock Tax, with penalty and interest, back to the year 1873, exactly as the Supreme Court of the United States had decreed, or the liability would

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remain and accumulate interest at the rate of 10% per annum, until it should be paid, in full, in cash.

There is not any process either in the Constitution of Illinois, or in its law, to either annul, settle or compromise a tax on a taxable property omitted from the tax rolls of Illinois.

The excuse of the Tribune law firm, for the jailing and jailing and jailing and the attempted murders of the petitioner complained of in the record now before this Honorable Court, is that to compel the Tribune Company to observe the mandate of the Supreme Court of Illinois and the Supreme Court of the United States and pay its capital stock tax now due and payable back to the year 1873, would bankrupt the Tribune Company, and compel it "hat in hand" to seek from "Wall Street" the tremendous sum of cash which would be required; the Chicago Tribune would thus "lose its face", because for 100 years it has called the men of Wall Street "Silk Hats" and "New Dealers" and urged in its editorial columns that millionaires, outside of the newspaper business, are a menace to the existing form of government.

Of all the millions of persons who have dwelt in Illinois, while the Tribune Company has been conducting its swindle, Miss Margaret Haley, this petitioner and the Puritan Church have been the only citizens of Illinois, who have had the courage to stand in the middle of Clark Street as Cato of old stood in the Roman Senate, and shout "the Chicago Tribune must obey the law; its example of lawlessness will destroy respect for all law; when that occurs, down will go our government by law."

Miss Haley died under the libels of her printed in the Chicago Tribune; this petitioner according to the records before this Court, has been jailed 5 times

by the orders of Tribune law firms; his murder in *cold blood* has been attempted twice and he will go to the Cook County jail again for 9 months, unless this honorable Court shall grant a rehearing, and reverse the Supreme Court of Illinois which also, possesses the evidence of the lawlessness of the Chicago Tribune; as yet it has done nothing about it, except to sentence to jail for contempt of court, the only man in Illinois, who seems to be willing to go to jail, in the defense of the Constitution of Illinois, and the law passed by her legislature.

About the time when the Supreme Court of the United States ended the Chicago Tribune's 30 year fight against the Capital Stock Tax Law of Illinois, Robert R. McCormick, the present editor of the Chicago Tribune, assumed the entire control of the Tribune Company by accident of birth. His first act as the control, was to "fire" the law firm of Mayer, Meyer, Austrian and Platt and found his own law firm called the Tribune law firm with Weymouth Kirkland as its head, to do for him in the courts, the work which Mayer, Meyer, Austrian and Platt had refused to do for him.

By bribing the Cook County Assessor with "publicity" in the Chicago Tribune, favorable to his reelection, the Tribune law firm was able to prevent the listing and assessing of the Capital Stock of the Tribune Company on the books of the Cook County Assessor, until the year 1924; then the stock of the Tribune Company of a par value of $100 was selling for $100,000 a share.

By the year 1935 the Tribune Company owed the State of Illinois approximately 100 million dollars in principal, penalty and interest on its unpaid Capital Stock Tax.

In 1935, after the death of Miss Haley, this petitioner alone and single handed cited the reluctant Chicago Tribune into Court to compel it to pay the tax, which the Supreme Court of the United States had declared to be a valid tax against all Illinois domestic corporations, including the Tribune Company.

The record of the Court "fixing", the attempted murder and jailing of this petitioner for upholding the law of the State of Illinois, which followed this attempt to compel an opulent interest to obey the law, is before this Honorable Court; the corruption of the machinery of justice in Illinois, the disregard of the constitution of Illinois and the law passed by her legislature, revealed in it under oath, has caused a "draw" of 4 to 4 in this Honorable Court in the above entitled cause, and a 5 to 3 division in the United States Supreme Court Case, 270.

Under oath, in this undenied and undisputed record now before this Honorable Court, this petitioner states that after the Tribune law firm had confined him in the Cook County Jail, "to cool off his indignation" against Robert R. McCormick, Mr. Weymouth Kirkland of the Tribune law firm, informed this petitioner that Robert R. McCormick could, and would "fix" every court to rule in favor of the interests of the multimillionaire Robert R. McCormick and against the interests of this little petitioner, no matter what the facts, no matter what the law. At that time, the petitioner never dreamed that in those words, Mr. Kirkland included the Supreme Court of the United States. This petitioner as well as every public school boy was taught with his alphabet, that the seat of the government of the U. S. A. is in the Supreme Court, and that all honor, is also, seated there.

Prior to his elevation to the Supreme Court of the United States, Justice Jackson was the general counsel for Mr. Terry Druggan. Mr. Weymouth Kirkland was the associate counsel with Justice Jackson in the large money affairs of Mr. Druggan.

When the Supreme Court of the United States granted to this petitioner two petitions for writs of certiorari for a review of Illinois court sentences aggregating 9 months in the Cook County Jail, for alleged contempt of court, Mr. Kirkland was ill and sojourning in Florida. At once, he departed Florida for Chicago. There, he had long conferences.

As a member of the Tribune law firm which had done for Robert R. McCormick, all the tax stealing, all the attempted murders, all the destruction of law and order in Illinois stated under oath, in the record before this Court in the above entitled cause, Mr. Kirkland knew, that, if the United States Supreme Court should reverse the Supreme Court of Illinois in *Parker* v. *The State of Illinois,* the strangle hold of Robert R. McCormick on the machinery of Justice in Illinois would be broken; the now closed grand jury of Cook County would be re-opened again, for evidence upon which indictments might be returned for tax stealing; the use of the public jails, for the private use of the Tribune law firm would be ended for ever, and the corrupt dictatorship of Illinois, by Robert R. McCormick destroyed.

Backed by all the vast money and political resources of the Tribune Company to accomplish his ends in Washington, D. C., Mr. Kirkland departed Chicago for Washington, D. C., determined to close the Puritan Church, and crush this petitioner with a sentence of 9 months in the Cook County Jail, with

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the approval of the Supreme Court of the United States. Arrived in Washington, D. C., Mr. Kirkland at once, communicated with Justice Jackson of the United States Supreme Court, his long associate in the large money affairs of Mr. Terry Druggan. Mr. Gael Sullivan of the Chicago Kelly-Nash "machine" was in Washington, D. C., as the Third Assistant Post Master General of the United States and one of the directors of the Democratic National Committee.

At once the Puritan Church, of which this petitioner is Chancellor, was closed by the P. O. Department with as strange an order as was ever issued in a country of religious freedom. The Puritan Church never was cited in the proceedings. The Puritan Church was never a party defendant to the proceedings; yet the U. S. Post-Office order closed the Puritan Church and cut off 30,000 communicants from the religious solacement of their church.

Almost simultaneously with the P. O. Department order closing the Puritan Church on April 7, 1948, Justice Douglas on April 5, 1948 entered an order jailing this petitioner for three months in the same Cook County Jail, where two attempts had been made to murder him after he had been "railroaded" there, by the Tribune law firm in the year 1934. (See record.) The mission of Mr. Kirkland to Washington, D. C., was accomplished and effectively.

On May 3, 1948 on page one of the Chicago Daily News, Jacob Arvey, the head of the Kelly-Nash "machine" of Chicago announced that the Kelly-Nash "machine" was in favor of William O. Douglas, Associate Justice of the Supreme Court of the United States, for the Democratic nomination for President of the United States in the coming national election.

In the opinion written by Justice Douglas, which unless re-considered will confine this petitioner in the Cook County Jail for three months, Justice Douglas made a mistake in the law of Illinois. In the petition for a re-hearing this petitioner pointed out to the majority of the Court the mistake which had been made in the opinion of Justice Douglas. But, under the rules of the Supreme Court of the United States, a petition for a re-hearing cannot be granted unless the Justice who wrote the opinion consents to a re-hearing; Justice Douglas would not consent.

In dissenting to that opinion by Justice Douglas, Justice Rutledge in an opinion concurred in by Justices Black and Murphy said:

"Yet this Court now acquiesces in this substantial and unconstitutional deprivation of petitioner's liberty by accepting as asserted procedural waiver of petitioner's substantive rights which, in my opinion, no more comports with basic conceptions of due process than does the substantive order for commitment. Constitutional rights may be nullified quite as readily and completely by hypertechnical procedural obstructions to their effective assertion and maintenance as by outright substantive denial. *Marino* v. *Ragen,* 332 U. S. 561, concurring opinion at 563."

* * * *

"I cannot accept this hypertechnical procedural nullification of constitutional rights in a case involving the liberty of the individual."

* * * *

"I can imagine no better way to annihilate constitutional rights, both substantively and procedurally, than thus dovetailing federal jurisdictional limita-

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tions with state procedural ones. To secure review of federal questions here, petitioner must exhaust his state remedies. But if he exhausts those remedies he 'waives' the federal questions.

"This is not waiver. It is nullification. I do not think Congress intended to countenance such a denial by the requirement of finality or that its effect, in conjunction with state procedures, should be to cut off the very rights which the jurisdictional authorization for reviewing final judgments was enacted to safeguard.

"The issue of federal procedure in this case is not one of timeliness. It is rather one of finality, now applied to deny rather than to assure review in protection of personal liberty from invasion by unconstitutional state action. *Central Union Co.* v. *Edwardsville, supra,* contemplated no such paradox. Nor, to my knowledge, has any other decision of this Court. As a matter of federal procedure petitioner did not waive his constitutional rights either by failing to seek certiorari from the Illinois Supreme Court's judgment of January 23, 1945, or by taking the necessary steps to seek the writ when he appealed to the state intermediate appellate court.

"The judgment of the Illinois Supreme Court should be reversed."

The Justices of the Supreme Court of the United States, who originally concurred in Justice Douglas' opinion in Case 270, may have discovered from the petition for a re-hearing in that matter, that Justice Douglas had erred in the law on which his opinion is based. If they did, they were powerless to correct the original error, because of rule of this honorable Court which requires for a re-hearing, the consent of the

Justice who wrote the opinion. Under this rule, this petitioner must go to the Cook County Jail, although some of the Justices who concurred in the original opinion, might desire in view of the law as it is clearly revealed in the petition for a re-hearing, to grant a re-hearing and keep this petitioner out of the Cook County Jail.

There is a "leak" in the sacred proceedings of the Supreme Court of the United States. This petitioner was reliably informed on March 17, 1948 through friends of Justice Jackson, that Justice Jackson inside the Supreme Court of the United States, as the friend of Mr. Weymouth Kirkland, the general counsel for the Tribune Company, had succeeded in dividing the U. S. Supreme Court against this defenseless petitioner.

This petitioner is age 71; he is the oldest in the 10th generation of his family of Puritan men born on American soil, in a direct line from Deacon Thomas Parker, who founded the Puritan Church in Reading, Mass. in 1642. The records of the War Department at Washington, D. C. show that the men of this family fought with guns at Lexington, Concord and Valley Forge and along with General George Washington to victorious Yorktown, to establish "justice under law" on American soil.

Like Nathan Hale, this petitioner has but one life to give for his country. It would be of little consequence to him, or to the world in general, perhaps, whether the few years yet remaining for him on this plane of existence, shall be spent in a jail, or in the Ritz-Carleton Hotel; the God who animates this petitioner will be both within the jail and without it.

In the crisis which the sane men of the United States must face today with alarm, due to disrespect

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for both the law of God and man, the youth should be our sole consideration.

What will the conclusion be of the budding young lawyer who will have to read the decisions of this Court in his class-room, when it finally dawns on him, that 100 million dollars was stolen from the state; that the courts of Illinois had to be corrupted, to prevent the recovery of the stolen money; that the man who reported the law infraction to the grand jury, was ordered to jail for 9 months by the Supreme Court of the United States, while all the rich culprits went "scott free" with their enormous loot?

The book "Uncle Tom's Cabin", written by Harriet Beecher Stowe was the most powerful factor in causing Civil War in the U. S. A.; the book, "Tragic Era" written by Claude Bowers and circulated almost exclusively among the editors of country newspapers, was one of the causes of driving the "Old Guard" Republican party out of power and keeping it out.

Claude Bowers had only a "little black bag" containing a paltry $100,000 bribe as a "peg on which to hang his book." If the Supreme Court of the United States shall permit itself to become the tail to Robert R. McCormick's kite of corruption, by jailing this petitioner for 9 months, and "pass by" the theft of 100 millions of dollars in Capital Stock taxes; "the fingering of his nose" by Robert R. McCormick to the opinion of the United States Supreme Court by the late Oliver Wendell Holmes; the corruption of the courts of Illinois and the private use of its jails by the Tribune law firm, it is reasonably certain, that another Claude Bowers will arise to write another book which might ultimately destroy our existing form of government, as inadequate to cope with the power of money which now exists. If this

petitioner shall be sent to jail for 9 months, by an erroneous opinion by Justice Douglas and a "no decision" by Justice Jackson, there will be enough "news" in the record now before this Court in the above entitled cause, to produce the most sensational story of American corruption ever written.

The association of Justice Jackson with Robert R. McCormick's Weymouth Kirkland and the association of Justice Douglas with Robert R. McCormick's Gael Sullivan, were unfortunate. The rules of the Supreme Court of the United States, by which those two Justices had the power to jail this petitioner for 9 months, no matter what the other seven Justices of this Honorable Court might think of the proceedings, has created an acute situation in the Supreme Court of the United States, and an alarm to all free men.

Law should be adamant, like the law of the Medes and the Persians; rules are a different matter. The United States Supreme Court made its rules; it can change them, or ignore them, when, as, and if, the liberty of a human being shall be at stake.

Therefore, in view of the above stated facts, this petitioner humbly suggests to this Honorable Court:

First, that it appoint a Master in Chancery to take testimony for the disbarment of Mr. Weymouth Kirkland and Mr. Robert R. McCormick, lawyers, from the practice of law, in the Federal Courts of the U. S. A. for their participation in the nullification in Illinois, of a mandate of the Supreme Court of the United States, whereby a steal of approximately 100 million dollars in Capital Stock taxes was stolen from the defenseless State of Illinois;

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Second, that it appoint a Master in Chancery to investigate each and every charge which this petitioner has made under oath, in the record now before this Honorable Court, as well as the charges which this petitioner makes under oath in this petition for a rehearing;

Third, that it ask a Congressional inquiry to ascertain if Justice Douglas traded the liberty of this petitioner, for the support of the Kelly-Nash "machine" of Chicago, for his nomination for president of the United States, in the coming Democratic National Convention;

Fourth, that it ask a congressional inquiry into the activities in Washington, D. C., of Mr. Weymouth Kirkland prior to the decision of Justice Douglas on April 5, 1948 and the closing of the Puritan Church on April 7th of that year.

Confident of the integrity of the highest court in his Country, as well as in the Justice of his cause before it, this petitioner respectfully petitions for a re-hearing in the above entitled cause, as well as in case 270, in which heretofore, a petition for a re-hearing was denied by this Honorable Court, because the law pointed out in the petition for a re-hearing in that cause, could not have been known to the majority of the Court which, in its absence, concurred in the opinion written by Justice Douglas.

Respectfully submitted,

HARRISON PARKER,
Pro Se.

Dated at New York City, May 25, 1948.

Certificate.

I do hereby certify that the foregoing petition for re-hearing of this cause is presented in good faith and not for the purpose of delay.

HARRISON PARKER.

State of New York,
County of New York—ss.:

HARRISON PARKER, being duly sworn, deposes and says: that, without consultation with any other person, he wrote every word of the foregoing petition for a re-hearing in the above entitled cause; that he has carefully read the same; that every word in it is true; that he is willing to testify to the truth of every statement in it either before a Master in Chancery of this Court, or before a Congressional Committee which shall investigate the activities of Weymouth Kirkland in Washington, D. C., before the Puritan Church was closed, and before the opinions of Justice Douglas and Justice Jackson, were written in *Parker* v. *State of Illinois,* in defiance of the facts in the Court record and the law pertaining thereto.

HARRISON PARKER.

Sworn to before me this
25th day of May, 1948.

HAROLD F. GREENBLATT
Notary Public in the State of New York
Residing in Kings County
Kings Co. Clk's No. 786
N. Y. Co. Clk's No. 953
Commission Expires March 30, 1949

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MAY 17, 1948.

Per Curiam Decisions.

No. 428. PARKER *v.* ILLINOIS. Certiorari, 332 U. S. 846, to the Supreme Court of Illinois. Argued February 13, 1948. Decided May 17, 1948. *Per Curiam:* MR. JUSTICE JACKSON is of the opinion that the writ of certiorari should be dismissed and did not participate in the

question as to the disposition of the case on its merits. With respect to the merits the judgment is affirmed by an equally divided Court. Petitioner argued the cause and filed a brief *pro se*. *William C. Wines*, Assistant Attorney General of Illinois, argued the cause for respondent. With him on the brief was *George F. Barrett*, Attorney General. Reported below: 397 Ill. 305, 74 N. E. 2d 523.